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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 10th January 1953 :—

Issue No.	No. and date	Issued by	Subject
1	S. R. O. 32, dated the 2nd January 1953.	Ministry of Home Affairs.	Amendment made in the Ministers (Advance for Motor-Cars) Rules, 1952.
2	S. R. O. 33, dated the 3rd January 1953.	Ministry of Commerce and Industry.	Fixation of 7th January 1953 as the date regarding enforcement of Indian Power Alcohol Act, 1948.
	S. R. O. 34, dated the 3rd January 1953.	Ditto.	Direction regarding the sale of petrol from 7th January 1953.
3	S. R. O. 35, dated the 4th January 1953.	Ministry of Finance (Revenue Division).	Exemption of cloth exports out of India.
4	S. R. O. 36, dated the 5th January 1953.	Election Commission, India.	Publication of Election Petition No. 87 of 1952.
	S. R. O. 37, dated the 5th January 1953.	Ditto.	Publication of Election Petition No. 144 of 1952.
5	S. R. O. 38, dated the 6th January 1953.	Ministry of Food and Agriculture.	Order for exercising control over Ram Luxman Sugar Mills, Mohiuddinpur, District Meerut.
6	S. R. O. 39, dated the 6th January 1953.	Election Commission, India.	Publication of Election Petition No. 133 of 1952.
7	S. R. O. 40, dated the 8th January 1953.	Ditto.	Occurrence of a vacancy in the House of the People and calling constituency to fill up the same.
	S. R. O. 41, dated the 8th January 1953.	Ditto.	Fixation of certain dates for making nominations, the scrutiny of nominations and the withdrawals, etc.
8	S. R. O. 111, dated the 8th January 1953.	Ditto.	Publication of Election Petition No. 1 of 1952.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3**Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).****MINISTRY OF LAW***New Delhi, the 8th January 1953*

S.R.O. 121.—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that the following further amendments shall be made in the notification of the Government of India in the Ministry of Law No. S.R.O. 215, dated the 9th February, 1952, relating to the execution of contracts and assurances of property, namely:—

I. In Part III of the said notification, under Head D, in item 2:—

- (i) After the words "Contracts and other instruments" the words and brackets "(except those hereinafter mentioned)" shall be inserted.
- (ii) For the words "or the Chief Electrician, Wireless", the words "or a Divisional Engineer, Wireless" shall be substituted.
- (iii) For the words "or a Superintendent of Telegraph Workshops", the words "or a Manager of Telegraph Workshops" shall be substituted.
- (iv) For the words "or Chief Electrician, Wireless", the words "or Divisional Engineer, Wireless" shall be substituted.
- (v) For the words "or Superintendent of Telegraph Workshops", the words "or Manager of Telegraph Workshops" shall be substituted.

II. In Part VII of the said notification:—**1. Under Head B:—**

- (i) In item 1(c), for the words "Agreements with temporary establishments", the words "Agreements with establishment including Workmen's establishments" shall be substituted.
- (ii) In item 1(d) for the words "Mortgage deeds", the words "Security bonds" shall be substituted and after the word "store-keepers" the words "Assistant Store-keepers" shall be inserted.

2. For Head C, the following Head shall be substituted, namely:—

"C.—In the case of (i) the India Government Mint, Bombay, (ii) Hyderabad Mint, Hyderabad (Deccan), (iii) the India Government Mint, Calcutta, (iv) the India Government Mint, Alipore (Calcutta), (v) Assay Department and (vi) the Silver Refinery, Alipore (Calcutta):—

1. (a) Contract for the purchase and supply of stores and building materials and matters incidental thereto, for the provision of labour and indentures to bind apprentices at the Mints etc. for a definite term;
- (b) Contracts for the sale of worn out stores and ashes and other waste products;
- (c) Agreements with establishment including Workmen's establishments; and
- (d) Security and Fidelity Guarantee bonds in connection with the employment of office cashiers and other staff who are required to furnish such bonds:

by the Mint Master, Bombay in the cases of the India Government Mint, Bombay and the Hyderabad Mint, Hyderabad (Deccan), by the Mint Master, Alipore (Calcutta) in the cases of India Government Mint, Calcutta and the India Government Mint, Alipore (Calcutta) and by the Assay Master and Superintendent, Silver Refinery Project, Alipore (Calcutta) in the cases of the Assay Department and the Silver Refinery, Alipore (Calcutta)."

III. In Part X of the said notification, in item 1, all entries under Head B shall be omitted and the existing Heads C, D and E shall be relettered as Heads B, C and D respectively.

IV. In Part XVI of the said notification, after the entries under Head C, the following Head shall be added, namely:—

“D.—In the case of the Survey of India:—

- (i) Contracts and other instruments relating to advances for the purchase of conveyances; by the Surveyor General.
- (ii) Agreements or leases for hire of buildings required for the Survey of India for periods not exceeding one year; by Directors, Deputy Surveyor General, Deputy Directors or President, Geodetic and Research Branch.
- (iii) All instruments relating to purchase, supply and conveyance or carriage of materials, stores, machinery etc. and repairs thereof; by the Surveyor General, Directors, Deputy Surveyor General, Deputy Directors, President, Geodetic and Research Branch or Deputy Stores Officers, Survey of India.
- (iv) All instruments relating to execution of works of all kinds connected with buildings and estates in the charge of the Department; by the Surveyor General or Directors.
- (v) Security bonds for the due performance of their duties by Government servants whom the officers specified below have power to appoint; by the Surveyor General, Deputy Surveyor General, Directors, Deputy Directors or President, Geodetic and Research Branch.
- (vi) Security bonds for the due performance of their duties by Officers of the Survey of India, Class I Service; by the Surveyor General.
- (vii) Contracts and other instruments relating to printing work, aerial photography, Mapping, preparation of mosaics and prints; by the Surveyor General, Directors or the Deputy Surveyor General.”

[No. F.32-III/52-L.]

SHRI GOPAL SINGH, Dy. Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 9th January 1953

S.R.O. 122.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government hereby grants exemption from all the prohibitions and directions contained in the said Act, for the duration of their journey through Indian territory from Raxaul to Western Nepal and back via Raxaul-Nepalgunj and Raxaul-Nautanwa routes, to:

(a) one detachment of advance Nepalese armed guards leaving Raxaul on the 8th January, 1953 in respect of the following arms and ammunition:—

- (i) one hundred and sixty-eight Le Enfield rifles;
- (ii) one Vickers machine gun No. NI;
- (iii) six .303 bore bren guns Nos. V.3757, N.842, 5T.6424, L.1544, A.9801 and V. 3551;
- (iv) fourteen .38 bore sten guns Nos. M-10626-II-21022-II, FF-11910-II, FF-97360-II, FF-53870-II, FF-61524-II, FF-206244-II, BO-346002-II, FD-97360-II, M-21623-II, FF-39408-II, FF-38913, FG-11477-II and FB-98169-II;

(v) three .45 bore Tommy guns Nos. S.144157, 286926 and 169842 and

(vi) thirteen .38 bore revolvers Nos. H.4165, M.6252, Z.O.7927, P.6426, P.6867, Q.4149, Q.8960, C.1946, C. 2350, M.6582, Z.C.8297, O.8159 and O.8714,

and connected ammunition and

(b) the other detachment of advance Nepalese armed guards leaving Raxaul on the 11th January, 1952 in respect of the following arms and ammunition:—

- (i) one hundred and sixty-eight Le Enfield rifles;
- (ii) one Vickers Machine gun No. N2;
- (iii) six .303 bore bren guns Nos. 145, 9476, 5872, 3074, 5749 and 1169;
- (iv) sixteen .38 bore sten guns Nos. FF-37735, S23064, S38695, R47863, FF37778, FF58371, EB48618, EE70978, EE97672, EE97370, 217609, FC24448, FM33609, V206091, E206002 and H.E.

(v) two .45 bore Tommy guns Nos. 224298 and 376705 and
 (vi) thirteen .38 bore revolvers Nos. 05986, 751574, 110747, A.3662, 678908, 873883, 6955, 65892, P.6307, Y1171, 05957, B131 and P7342
 and connected ammunition.

[No. 9/1/53-Police(I).]

U. K. GHOSHAL, Dy. Secy.

MINISTRY OF FINANCE
(Department of Economic Affairs)

New Delhi, the 13th January 1953

S.R.O. 123.—In exercise of the powers conferred by sub-section (1) of section 9 of the Reserve Bank of India Act, 1934 (II of 1934), the Central Government hereby appoints with effect from the 15th January 1953 the members specified in column 2 of the table hereto annexed to constitute the Local Board for each of the four areas specified in column 1 thereof:—

TABLE

Area	Name of member
1	2
1. <i>The Western Area</i>	1. Shri Purshotamdas Thakurdas, "Navsari Chambers" Outram Road, Bombay, 1. 2. Shri Mathuradas Mangaldas Parekh, Lal Darwaja, Ahmedabad. 3. Shri Vaman Pundalik Varde, Managing Director, Bombay Provincial Co-operative Bank Ltd., 8, Bakehouse Lane, Bombay. 4. Shri Mohan Lal Tannan, "The Cliff", Carmichael Road, Bombay-26. 5. Shri K. C. Mahindra, Dharbanga Mansion, Carmichael Road, Bombay-26.
2. <i>The Eastern Area</i>	1. Shri B. M. Birla, 8, Royal Exchange Place, Calcutta. 2. Shri Jiban Krishna Mitter, No. 1, Raja Rajvally Street, Calcutta. 3. Mr. O. T. Jenkins, C/o Messrs. Balmer Lawrie & Co., Ltd., Calcutta. 4. Dr. Bimala Churn Law, 43, Kailas Bose Street, Calcutta-6. 5. Shri Peary Mukherjee, 42/A, Hazra Road, Calcutta-19.
3. <i>The Northern Area</i>	1. Shri Shri Ram, 20-22, Curzon Road, New Delhi. 2. Shri Satya Paul Virmani, The Jawala Flour Mills, Amritsar. 3. Sahu Jagdish Prasad, Pilibhit, Uttar Pradesh. 4. Shri S. Gurdial Singh Uppal, Uppal Villa, Lawrence Road, Amritsar. 5. Shri Rishi Narain Shastri, Chairman, District Co-operative Federation, Banaras.
4. <i>The Southern Area</i>	1. Shri C. R. Srinivasan, "Sun View", Lloyds Road, Royapettah, Madras. 2. Shri R. Ramanathan Chettiar, Chettinad House, Adyar, Madras. 3. Shri P. Suryanarayana, 8, Boag Road, Thyagarayanagar, Madras-17. 4. Shri S. Anantharamakrishnan, "Kalyan Mahal", Edward Elliotts Road, Madras-4. 5. Shri Bikkini Venkataratnam Chowdhury, President, Madras State Co-operative Bank Ltd., Madras.

S.R.O. 124.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934 (II of 1934), the Central Government hereby nominates with effect from the 15th January, 1953, the following persons to be the Directors of the Central Board of the Reserve Bank of India, namely:—

1. Shri Purshotamdas Thakurdas, "Navsari Chambers", From the Local Board for the
Outram Road, Fort, Bombay. Western Area.
2. Shri B. M. Birla, 8, Royal Exchange Place, Calcutta . From the Local Board for the
Eastern Area.
3. Shri Shri Ram, 20-22, Curzon Road, New Delhi . From the Local Board for the
Northern Area.
4. Shri C. R. Srinivasan, "Sun View", Lloyds Road, Royapettah, Madras. From the Local Board for the
Southern Area.

[No. F.3(66)-F.1/52-II.]

N. C. SEN GUPTA, Dy. Secy.

MINISTRY OF FINANCE (REVENUE DIVISION)

CUSTOMS

New Delhi, the 17th January 1953

S.R.O. 125.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby exempts silk worm seeds, assessable under item No. 87 of the First Schedule to the Indian Tariff Act, 1934 (XXXII of 1934), from the whole of the customs duty leviable thereon.

[No. 6.]

E. RAJARAM RAO, Joint Secy.

CENTRAL BOARD OF REVENUE

New Delhi, the 10th January 1953

S.R.O. 126.—*Corrigendum.*—In Board's Notification No. 80-Income-tax, dated the 20th November 1952 (S.R.O. 1953), printed in the *Gazette of India*, Part II, Section 3, dated the 29th November 1952, for the figures and words "20th February 1953" read "28th February 1953".

[No. 3.]

S. P. LAHIRI, Secy.

INCOME-TAX

New Delhi, the 12th January 1953

S.R.O. 127.—In pursuance of sub-section (4) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue direct that the following further amendments shall be made in its Notification No. 32-Income-tax, dated the 9th November 1946, namely:—

In the schedule appended to the said notification under sub-head "VIII—Bihar & Orissa" for the existing Ranges and Income-tax Circles, the following Ranges and Income-tax Circles shall be substituted, namely:—

Patna Range—

1. Patna Circle.
2. Special Circle, Patna.
3. Arrah Circle (Shahabad).
4. Hazaribagh Circle.
5. Gaya Circle.

6. Saran Circle.

7. Special Survey Circle, Patna.

Muzaffarpur Range—

1. Muzaffarpur Circle.

2. Darbhanga Circle.

3. Purnea Circle.

4. Champaran Circle.

Bhagalpur Range—

1. Bhagalpur Circle.

2. Monghyr Circle.

3. Deoghar Circle.

Ranchi Range—

1. Special Circle, Ranchi.

2. Salaries Circle, Ranchi.

3. Ranchi Palamau Circle, Ranchi.

4. Singhbhum Circle.

5. Purulia Circle (Manbhum Sadar).

6. Dhanbad Circle.

7. Colliery Circle, Dhanbad.

8. Special Survey Circle, Ranchi (in respect of persons who have their principal place of business in or reside in the districts of Ranchi, Hazaribagh, Manbhum and Singhbhum).

Cuttack Range—

1. Cuttack Circle.

2. Berhampur Circle.

3. Rayagada Circle.

4. Jharsuguda Circle.

5. Baripada Circle.

6. Special Circle, Cuttack.

7. Special Survey Circle, Ranchi (in respect of persons who have their principal place of business in or reside in the districts of Sambalpur, Sundargarh, Cuttack, Puri, Dhenkanal, Ganjam, Phulbani, Khondmal, Mayurbhanj, Balasore, Keonjhar, Koraput, Kalahandi and Bolangir Patna).

2. Where an Income-tax Circle stands transferred by this Notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, and pending immediately before the date of this notification before the Appellate Assistant Commissioner of the Range from which that circle is transferred shall on and from the date of this notification be transferred to and dealt with by the Appellate Assistant Commissioner of the Range, to which the said circle is transferred.

[No. 2.]

K. B. DEB, Under Secy.

MINISTRY OF COMMERCE AND INDUSTRY*New Delhi, the 17th January 1953*

S.O. 158.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby directs that the following further amendment shall be made in the Cotton Textiles (Control) Order, 1948, namely:—

In clause 20B of the said Order, sub-clause (iii) shall be deleted.

[No. 9(4)-CT(A)/53-1.]

P. GOVINDAN NAIR, Dy. Secy

ORDER

New Delhi, the 12th January 1953

S.R.O. 129.—In exercise of the powers conferred by section 22 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), the Central Government hereby directs that the powers conferred on it by sub-section (1) of section 10, clauses (a) and (b) of section 13, sub-section (1) of section 16, section 17 and section 19 of the said Act shall be exercisable also by the Government of Travancore-Cochin in the State of Travancore-Cochin.

[No. 2(2)-PC/52.]

B. B. SAKSENA, Dy. Secy.

MINISTRY OF FOOD AND AGRICULTURE

New Delhi, the 6th January 1953

S.R.O. 136.—In exercise of the powers conferred by clause 11 of the Sugar and Gur Control Order, 1950 the Central Government hereby directs that subject to any general or special orders which may from time to time be issued by it in this behalf, the powers under clause 3 of the said order shall also be exercisable by the Cane Commissioner, U.P., for the purpose of allowing rebate in the minimum price of sugarcane, in excess of the limit prescribed in proviso (1) of the Government of India in the Ministry of Food and Agriculture Notification No. S.R.O. 1672, dated the 30th September, 1952, and subject to a maximum of -/8/- per maund of cane, in the interest of the growers.

[No. SV-101(I)/52-53.]

New Delhi, the 7th January 1953

S.R.O. 131.—In exercise of the powers conferred by Clause 8 of the Sugar and Gur Control Order, 1950, the Central Government is pleased to cancel the Notification of the Government of India in the Ministry of Food and Agriculture No. S.R.O. 842, dated the 22nd May, 1951.

[No. SV-105(2)/50-51.]

ORDERS

New Delhi, the 10th January 1953

S.R.O. 132.—In exercise of the powers conferred by sub-section (4) of section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby directs that the following amendment shall be made in the Government of India, Ministry of Food and Agriculture, Order No. S.R.O. 2074, dated the 18th December, 1952, namely:—

For sub-clause (v) to clause 1 substitute the following:—

(v) to issue directions to the management to perform any other act which may be necessary for carrying on the business of the undertaking:

Provided that directions to undertake any recurring liabilities shall not be issued by the authorised controller without the previous sanction of the Government of Uttar Pradesh:

Provided further that the authorised controller shall not undertake any non-recurring liabilities except on the security of sugar in stock with the undertaking.

[No. SV-125(12)/52.]

S.R.O. 133.—In exercise of the powers conferred by sub-section (4) of section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby directs that the following amendment shall be made in the Government of India, Ministry of Food and Agriculture, Order No. S.R.O. 2073, dated the 18th December, 1952, namely:—

For sub-clause (v) to clause 1 substitute the following:—

(v) to issue directions to the management to perform any other act which may be necessary for carrying on the business of the undertaking:

Provided that directions to undertake any recurring liabilities shall not be issued by the authorised controller without the previous sanction of the Government of Uttar Pradesh:

Provided further that the authorised controller shall not undertake any non-recurring liabilities except on the security of sugar in stock with the undertaking.

[No. SV-125(12)/52.]

P. A. GOPALAKRISHNAN, Joint Secy.

(Agriculture)*New Delhi, the 12th January 1953*

S.R.O. 134.—In exercise of the powers conferred by sub-section (1) of section 3 of the Destructive Insects and Pests Act, 1914 (II of 1914), the Central Government hereby directs that the following further amendments shall be made in the notification of the Government of India in the late Department of Education, Health and Lands No. 1581-Agril, dated the 1st October, 1931, namely:—

1. In sub-clause (a) of clause (2) of the said notification—

(a) for the words "Secretary, Indian Central Cotton Committee, Bombay" the words "Quarantine Entomologist, Directorate of Plant Protection, Quarantine and Storage, Yusuf Building, Church Gate Street, Bombay" shall be substituted.

(b) after the words "Traffic Manager of the Madras Port Trust" the words "and the Entomologist, the Harbour, Madras" shall be inserted.

[No. F.6-17/52-Dte.I.]

R. L. MEHTA, Dy. Secy.

MINISTRY OF EDUCATION**ARCHÆOLOGY***New Delhi, the 10th January 1953*

S.R.O. 135.—In exercise of the powers conferred by sub-section (3) of Section 3 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Central Government hereby rescinds Notification No. D.4425/49-A.2, dated the 6th July, 1950, whereby Notification No. D.4425/49-A.2, dated the 10th November, 1949, was confirmed.

[No. F.4-12/52-A.2.]

T. S. KRISHNAMURTI, Asstt. Secy.

MINISTRY OF REHABILITATION**Office of the Chief Claims Commissioner***Delhi, the 2nd January 1953*

S.R.O. 136.—In supersession of the Gazette Notification No. 7(49)/CCC/AE-51, dated 29th November 1952 and in exercise of the powers delegated to me by the Central Government under its Notification No. 32(13)/AE/51, dated 15th May 1952, read with Section 4 of the Displaced Persons (Claims) Act, 1951 (XLIV of 1950), it is directed that the Chief Claims Commissioner, Claims Commissioners, and Deputy Chief Claims Commissioner mentioned below shall exercise jurisdiction as revising authority in respect of claims pertaining to the localities specified in Column 4 of the Schedule.

SCHEDULE

Serial No.	Name of the revising authority	Name of the appropriate revising authority	Jurisdiction
1	2	3	4
1	Shri M. R. Galind, C. C., Delhi.	Shri I. M. Lall, I.C.S., C.C. C., Delhi.	1. All revisions relating to industrial Claims. 2. All revisions relating to claims of the value of one Lac and over.
2	Shri T. D. Malhotra, Delhi Shri Tirath G. Sabhani, Delhi Shri K. N. Bagai, Delhi Shri Y. R. Maingi, Delhi Shri J. R. Banga, Delhi	Shri T. C. Aggarwal, C. C., Delhi.	1. All revisions relating to N. W. F. P., Baluchistan, Tochi and Khurram agencies, and Bahawalpur land claims.

Serial No. 1	Name of the revising authority 2	Name of the appropriate revising authority 3	Jurisdiction 4
	Shri P. C. Puri, Delhi Shri T. C. Mehta, Sri Ganga Nagar. Shri T. M. Sapra, Delhi Shri R. C. Gulati, Delhi Shri Daya Ram Malik, Delhi. Shri Mani Ram Khanna, Delhi. Shri Surat Singh, Delhi. Shri Sukha Nand, Delhi. Shri M. R. Mehra, Delhi. Shri B. S. Sethi, Delhi. Shri Harkishan Lal, Delhi.		2. All revisions relating to Rural properties on the report of Attestation Officers.
3	Shri K. N. Kapur, Bombay Shri C. Sewak Ram, Bombay Shri K. M. Punjabi, Bombay Shri C. L. Bhatia, Bombay	Shri S. P. Advani, C. C. Bombay.	1. All revisions relating to Sind Land Claims. 2. All revisions relating to Sind Urban and Rural claims filed from Bombay State.
4	Shri Chander Bal, Delhi Shri S. G. Chandra, Ajmer Shri D. C. Khanna, Ajmer.	Shri K. G. Bhojwani, C. C., Ajmer.	All revisions relating to Sind Urban and Rural claims except those filed from Bombay State.
5	Shri M. R. Kalia, Delhi Shri Dewan Fateh Chand, Delhi. Shri H. C. Matta, Delhi. Shri Shiv Dutt, Delhi.	Shri J. K. Khanna, C. C., Delhi.	All revisions relating to Mianwali, Gujranwala, and Multan Distts. and N. W. F. P. except land claims of N.W.F.P.
6	Shri Partap Shankar, Delhi. Shri B. R. Gandhi, Delhi. Shri K. C. Srivastava, Delhi. Shri C. S. Sethi, Delhi. Shri H. R. Mahajan, Delhi.	Shri R. K. Vaish, C. C., Delhi.	All revisions relating to Montgomery, D. G. Khan, Jhang, Muzaffargarh, Sheikhupura, Jhelum Districts, and Baluchistan and Bahawalpur except and claims of Baluchistan and Bahawalpur.
7	Shri Ram Lal, Jullundur Shri K. S. Chadha, Jullundur Shri Bakshi Sher Singh, Jullundur Shri Bhawani Lal, Jullundur Shri Hari Kishan, Jullundur Shri Chander Gupta, Jullundur. • Shri B. R. Choudhry, Jullundur.	Shri L. R. Sikand, C. C., Jullundur.	All revisions relating to Layallpur, Lahore Distt. excluding Lahore City and Cantt., Sialkot Distt. including Shakargarh.
8	Shri G. R. Budhiraja, Delhi. Shri Shiv Lal Malik, Delhi. Shri Tej Bhan Malik, Delhi.	Shri T. C. Gupta, D. C. C.C., Delhi.	All revisions relating to Campbellpore and Gujrat Districts.
9	Shri Sawan Singh, Delhi. Shri R. K. Gupta, Delhi. Shri T. C. Vij, Delhi. Shri A. N. Vohra, Delhi. Shri K. L. Wadhawan, Delhi. Shri H. L. Maini, Delhi.	Raizada Gurcharan Das, C.C., Delhi.	All revisions relating to Lahore City and Cantt., Sargodha and Rawalpindi Districts, and Tochi and Khurram Agencies except land claims of these places.

All revisions against the orders of Claims Officers including Attestation Officers relating to the districts mentioned in Col. 4 above will lie to the appropriate revising authority mentioned in Col. 3.

The revising authority mentioned in Col. 2 shall deal with such revisions and work as may be allocated to them by the appropriate revising authority mentioned against their names in Col. 3 from time to time.

All Officers mentioned in Col. 2 will also work as *ex-officio* Claims Officers.

[No. 7(49)/CCC/AE-52.]

I. M. LALL,
Chief Claims Commissioner.

ORDER

New Delhi, the 10th January 1953

S.R.O. 137.—In exercise of the powers conferred by sub-section (1) of section 19 of the Evacuee Interest (Separation) Act, 1951 (LXIV of 1951), the Central Government hereby orders that all cases in respect of composite properties situated in the districts mentioned in column 1 of the Schedule hereto annexed and pending before Shri H. C. Asthana, Competent Officer, Lucknow, shall stand transferred to Competent Officer mentioned in the corresponding entry in column 2 of the said Schedule.

SCHEDULE

Districts (1)	Name of Competent Officer to whom cases are transferred (2)
Allahabad Sultanpur Jaunpur Banaras Ghazipur Mirzapur Banda Hamirpur Fatehpur	Shri Prem Prakash, Competent Officer, with headquarters at Allahabad.
Meerut Dehra Dun Saharanpur Muzaffarnagar Bulandshahr Tehri Garhwal	Shri Jagmohan Lal, Competent Officer, with headquarters at Meerut.
Moradabad Rampur Badaun Bijnor Bareilly Pilibhit Naini Tal Almora Garhwal	Shri Bishambhar Dayal Mathur, Competent Officer, with headquarters at Moradabad.

[No. 52(7)/52-Prop.]

MANMOHAN KISHAN, Asstt. Secy.

MINISTRY OF TRANSPORT

MERCHANT SHIPPING

New Delhi, the 7th January 1953

S.R.O. 138.—In exercise of the powers conferred by the sections of the Indian Merchant Shipping Act, 1923 (XXI of 1923), specified in the first column of the Schedule hereto annexed, and in supersession of the notification of the Government of India in the late Ministry of Commerce, No. 72-M.A.(1)/50, dated the 9th September 1950, the Central Government hereby appoints, for the purposes of the respective sections, the officers specified in the second column of the Schedule to act within the limits specified against them in the corresponding entries in the third column thereof.

SCHEDULE

Section of the Act	Officers	Limits
	The Port Commissioner and Engineer, Kutch, Bhuj.	Minor ports in the State of Kutch.
	The Port Officer, Bhavnagar	The ports of Bhavnagar, Talaja, Mahuva, Albert Victor, Bherai, Jaffarabad and Chanchuda.
7 (1)	The Port Officer, Bedi	Ports of Bedi Bunder, Rozi, Salaya, Jodia, Pindara and Sikka.
71 (1)	The Port Officer, Navlakhi	The ports of Navlakhi and Zinzuwada.
72 (1)	The Port Officer, Porbandar	The ports of Porbandar, Madhavpaur, Navibunder, Maiani and Lamba.
74		
81		
116		
119		
151 (1)	The Port Officer, Veraval	The ports of Veraval, Nava Bunder, Shil Bunder, Sutrapada, Dhamlej, Simar, Rajpara, Chorvad and Mangrol.
167 (2)		
170		
178		
214		
246 (3)	The Customs Supervisor, Trivandrum	Port of Trivandrum.
	The Customs Officer, Kovalam	Port of Kovalam.
	The Customs Officer, Mankudy	Port of Mankudy.
	The Customs Officer, Munambom	Port of Munambom.
	The Port Conservator, Alleppey	Port of Alleppey.
	The Port Conservator, Quilon	Port of Quilon.
	The Port Conservator, Koilthottam	Port of Koilthottam.
	The Port Conservator, Colachel	Port of Colachel.
	The Deputy Conservator, Cochin Port	Port of Cochin.
	Chief Medical Officers, Bhavnagar and Jamnagar or, in their absence, their Senior Assistants.	Port of Bedi.
37-D	Chief Medical Officer, Morvi or, in his absence, his Senior Assistant.	Port of Navlakhi.
	Chief Medical Officer, Veraval or, in his absence, his Senior Assistant.	Port of Veraval.
	Chief Medical Officer, Porbandar or, in his absence, his Senior Assistant.	Port of Porbandar.
	The Superintendent of Customs and Central Excise, Kutch, Bhuj.	All ports in the State of Kutch.
	The Deputy Superintendent of Customs and Central Excise, Kutch, Bhuj.	Do.
	The Deputy Superintendent of Customs, Mandvi.	Mandvi Port.
	The Deputy Conservator, Kandla	Kandla Port.
	The Inspector of Customs, Tuna	Tuna Port.
	The Inspector of Customs, Mundra	Mundra Port.
	The Inspector of Customs, Koteswar	Koteswar Port.
	The Customs Officer-in-charge of Customs House at Lakhpat.	Lakhpat Port.
273	The Customs Officer-in-charge of Customs House at Jakhau.	Jakhau Port.
	The Administrative Officer, Cochin Harbour.	Port of Cochin.
	The Sub-Magistrate, Mattancherry	Local Jurisdiction of the Sub-Magistrate.
	The Customs Supervisor, Trivandrum	Port of Trivandrum.
	The Customs Officer, Kovalam	Port of Kovalam.
	The Customs Officer, Mankudy	Port of Mankudy.
	The Customs Officer, Munambom	Port of Munambom.
	The Port Conservator, Alleppey	Port of Alleppey.
	The Port Conservator, Quilon	Port of Quilon.
	The Port Conservator, Koilthottam	Port of Koilthottam.
	The Port Conservator, Colachel	Port of Colachel.

Section of the Act	Officers	Limits
273— <i>Contd.</i>	The Deputy Collector and Division First Class Magistrate, Padmanabhapuram.	The local jurisdiction of the Magistrate, except the ports of Kovalam, Manakudy and Colachel.
	The Deputy Collector and Division First Class Magistrate, Chengannoor.	The local jurisdiction of the Magistrate.
	The Deputy Collector and Division First Class Magistrate, Kottayam.	Do.
	The Division First Class Magistrate, Alwaye.	The local jurisdiction of the Magistrate, except Munambom port.
	The Port Officer, Bhavnagar	The ports of Bhavnagar Talaja, Mahuva, Albert Victor, Bherai and Jaffarabad.
	The Port Officer, Veraval	Ports of Veraval, Nava Bunder, Shil Bunder, Simar, Rajpara and Mangrol.
	The Port Officer, Porbandar	Ports of Porbandar Madhapaur, Maiani and Lamba.
	The Port Officer, Bedi	Ports of Bedi Bunder, Rozi, Salaya, Jodia and Sikka.
	The Port Officer, Navlakhi	Port of Navlakhi.

[No. 72-M.A.(1)/50.]

S. K. GHOSH, Dy. Secy.

PORTS

New Delhi, the 8th January 1953

S.R.O. 139.—In exercise of the powers conferred by Section 8 of the Calcutta Port Act, 1890, the Central Government is pleased to appoint Shri R. Gupta, I.C.S., Secretary to the Government of West Bengal, Home Department, as Chairman of the Commissioners for the Port of Calcutta, with effect from the date he assumes charge of the post *vice* Shri N. M. Ayyar, I.C.S.

[No. 9-PI(4)/53.]

S. CHAKRAVARTI, Jt. Secy.

MINISTRY OF WORKS, HOUSING AND SUPPLY

New Delhi, the 8th January 1953

S.R.O. 140.—*Corrigendum.*—In the Ministry of Works, Housing & Supply's Notification No. M-104(7)/52, dated the 18th December, 1952 published as S.R.O. 2109 in the *Gazette of India*, Part II—Section 3, dated the 27th December, 1952 at page 1820-1821 the word "expensive" in the second line of the last para. should read "extensive".

[No. M-104(7)/52.]

B. S. KALKAT, Under Secy.

Central Boilers Board

New Delhi, the 12th January 1953

S.R.O. 141.—*Corrigendum.*—In the six of paragraph one of the Central Boilers Board's Notification No. M/BL-304(55)51, dated the 22nd December 1952, published as S.R.O. 2111 in the *Gazette of India*, Part II—Section 3, dated the 27th December 1952 at pages 1821 to 1822,

For "15th February, 1952"

Read "15th February, 1953".

[No. M/BL-304(55)51.]

B. S. KALKAT, Secy.

MINISTRY OF RAILWAYS**(Railway Board)***New Delhi, the 11th January 1953*

S.R.O. 142.—In pursuance of sub-section (1), section 135 of the Indian Railways Act, 1890 (IX of 1890), the Central Government hereby declares that the Administration of the Northern Railway shall be liable to pay in aid of the funds of the local authorities specified in column 1 of the Schedule annexed hereto, the tax specified in column 2 thereof.

SCHEDULE

Local Authority	Tax
1	2
Delhi Municipal Committee	... Cycle Tax.
New Delhi Municipal Committee	... Cycle Tax.
Notified Area Committee, Civil Station, Delhi...	... Cycle Tax.

[No. F(X)II-51/TX-33/3.]

K. SADAGOPAN, Director,
Finance.**MINISTRY OF INFORMATION AND BROADCASTING***New Delhi, the 12th January 1953*

S.R.O. 143.—In exercise of the powers conferred by sub-sections (1) and (2) of section 8 of the Cinematograph Act, 1952 (XXXVII of 1952), the Central Government hereby directs that the following further amendments shall be made in the Cinematograph (Censorship) Rules, 1951, namely:—

1. In the said Rules—

In rule 10, after the word “appointment”, the words “but shall be eligible for re-appointment” shall be inserted.

2. In rule 11, the following sub-rule shall be inserted, namely:—

“(4) The Chairman may, during the temporary absence of a Regional Officer, authorise the Assistant Regional Officer or, in his absence, any other officer of the Board to perform on behalf of the Regional Officer all or any of his duties. The Chairman shall immediately make a report of such authorization to the Central Government and also inform the Board at the next meeting.”

3. In rule 22—

(a) for the proviso to sub-rule (2) the following proviso shall be substituted, namely:—

“Provided that where films are imported from abroad the Chairman may direct or permit applications in respect of them to be delivered to a Regional Officer other than the Regional Officer to whom such applications would have been delivered but for this proviso:

Provided further that the Chairman may in the following circumstances direct or permit applications in respect of any films or class of films to be delivered to a Regional Officer other than the Regional Officer to whom such applications would have been delivered but for this proviso, namely:—

- (i) where a Bombay film is produced in any State other than the State of Bombay, or
- (ii) where the Chairman is satisfied that immediate action for examination of a film is necessary, or
- (iii) where examination of a film with the assistance of persons well acquainted with the language of the film is not possible at the place where, but for the provisions of this proviso, it would have been delivered for examination.”

(b) for sub-rule (3), the following sub-rules shall be substituted, namely:—

“(3) Every such application shall be accompanied by—

- (a) the fee prescribed under rule 32,
- (b) eight typed or printed copies of the synopsis of the film and of the full text of all songs, if any;

Provided that, in the case of a film in a language other than that specified in Form I in the Schedule, the Regional Officer may direct the

applicant to furnish also eight typed or printed copies of the full text of the dialogue, speeches or commentary:

Provided further that where, in the case of a newsreel, documentary or other short film, the Regional Officer is satisfied that the applicant is not able to furnish the documents referred to in clause (b) along with the application, for reasons beyond the control of the applicant, the Regional Officer may direct that such documents may be furnished within such period after the examination of the film as he may from time to time specify, and

- (c) the original certificate, if the application is made for the examination of the film as provided for in rule 27B.
- (4) Where an application is accompanied by papers or documents other than those prescribed under clauses (b) and (c) of sub-rule (3) or under the proviso to sub-rule (2) of rule 32 or by any press cuttings or testimonials expressing an opinion on the film to be examined, it shall be lawful for the Board not to entertain the application."

4. For sub-rule (2) of rule 24, the following sub-rule shall be substituted, namely:—

"(2) The Examining Committee shall consist of—

- (a) in the case of a newsreel, documentary short, cartoon or in the case of a film predominantly educational, a member of the Advisory Panel and the Regional Officer or Assistant Regional Officer; and
- (b) in the case of any other film, four members of the Advisory Panel and the Regional Officer or the Assistant Regional Officer:

Provided that if the Regional Officer or Assistant Regional Officer is unavoidably absent at the examination of a film, the examining Committee shall consist of two members of the Advisory Panel in a case falling under clause (a) and five members of the Advisory Panel in a case falling under clause (b)."

5. In rule 26—

- (a) for sub-rule (2), the following sub-rule shall be substituted, namely:—

"(2) The Revising Committee shall ordinarily consist of the Chairman and, subject to sub-rule (5), all the resident members of the Advisory Panel of the place where the application under rule 22 was received:

Provided that, subject to the quorum specified in sub-rule (9), the proceedings of the Committee shall not be questioned on the ground merely of the absence of any member or members of the Advisory Panel:

Provided further that the Chairman may, at his discretion, constitute, for the examination of any specified film, a Special Revising Committee consisting of the Chairman and such number of members of the Advisory Panel of the place where the application under rule 22 was received or of any other place as may be specified by him."

- (b) for sub-rule (3), the following sub-rule shall be substituted, namely:—

"(3) The Chairman, if present, shall preside at every meeting of the Revising Committee (including the Special Revising Committee). If he is unable to attend, a member of the Advisory Panel nominated by the Chairman for the purpose shall preside. The Regional Officer may be invited to be present for the purpose of recording the proceedings."

- (c) sub-rule (4) shall be omitted.

- (d) to sub-rule (5), the following proviso shall be added, namely:—

"Provided that the Chairman may direct any such member to attend the meeting of the Revising Committee in order that the members of the Revising Committee may be fully acquainted with the views of the Examining Committee."

- (e) after sub-rule (6), the following sub-rule shall be inserted, namely:—

"(6A) For the purpose of examination of the film by a Revising Committee under sub-rule (6), the applicant may be required to furnish twenty-five typed or printed copies of the synopsis of the film and of the full text of all songs, if any:

Provided that in the case of a film in a language other than that specified in Form I in the Schedule, the Chairman may direct the applicant to furnish also twenty-five typed or printed copies of the full text of the dialogues, speeches or commentaries."

(f) for sub-rule (9), the following sub-rules shall be substituted, namely:—

“(9) The quorum of the Revising Committee shall be half the membership of the Advisory Panel excluding the non-resident members and the members who sat on the Examining Committee in respect of the same film:

Provided that the quorum for a Special Revising Committee set up under the second proviso to sub-rule (2) shall be five.

“(9A) The decision of the Revising Committee (including the Special Revising Committee) shall be that of the majority of the members attending the examination of the film and, in the event of an equality of votes, the presiding officer shall have a second or casting vote:

Provided that, where the majority is less than two-thirds of the members attending, the Chairman shall refer the decision to the Central Government who may pass such orders thereon as it deems fit.”

(g) for sub-rule (10), the following sub-rule shall be substituted, namely:—

“(10) On receipt of the record under sub-rule (8) or the orders of the Central Government under the proviso to sub-rule (9A), the Chairman shall issue or authorise the Regional Officer to issue a certificate in conformity with the decision of the Revising Committee or the orders of the Central Government, as the case may be.”

6. For rule 27, the following rules shall be substituted, namely:—

“27. *Issue of certificate subject to removal of portions of film.*—(1) Where the applicant is informed by a Regional Officer or the Chairman that a film will not be certified for unrestricted public exhibition or for public exhibition restricted to adults, as the case may be, unless a specified portion or portions thereof be removed from the film, the Regional Officer may, with the approval of the Chairman, issue a certificate certifying the film for unrestricted public exhibition or for public exhibition restricted to adults, as the case may be, if he is satisfied on a declaration made in writing by the applicant that the portion or portions objected to have been deleted from the film and from all copies thereof in the applicant's possession and surrendered to him. The portion or portions of the film and of all copies thereof so surrendered shall be preserved for a period of three months and thereafter destroyed:

Provided that single excisions exceeding seventy-five feet in length shall be preserved for a period of six months before they are destroyed.

Explanation.—For the purpose of satisfying himself that the portion or portions objected to have been deleted, the Regional Officer or the Chairman may, at the expense of the applicant, himself examine the film, or cause it to be examined by one or more members of the Advisory Panel at such time and place as he may determine.

(2) A certificate issued under sub-rule (1) shall be endorsed with a specification of the portion or portions required to be removed and a statement of the exact length of each part or parts removed, and shall bear a clearly visible triangle drawn at the left hand bottom corner of the certificate.”

“27A. *Deposit of a copy of the film as certified or of the shooting script thereof.*—After the Regional Officer or the Chairman as the case may be has affixed his signature to the certificate granted under rule 25 or rule 27 and prior to the delivery or despatch of the certificate to the applicant, a copy of the film as certified by the Board in 35 millimetre or 16 millimetre or a shooting script thereof shall be deposited with the Board by the applicant at his own expense for the purpose of record.

“27B. *Validity of certificate.*—A certificate in respect of a film whether issued before or after the commencement of these rules shall remain valid only for a period of five years from the date of its issue:

Provided that a fresh certificate may be issued on an application made for the examination of the film under rule 22.

“27C. *Certificate is liable to cancellation by the Board.*—A certificate granted by the Board under these rules shall be granted subject to the condition that it will be liable to cancellation in the event of the film in respect of which the certificate is granted being exhibited in a form other than the one in which it is certified.

"27D. *Seizure of the copy of a certified film.*—(1) When a film certified under these rules is exhibited in a form other than the one in which it was certified by the Board, it may be seized on the spot by the District Magistrate.

(2) The copy of the film seized under sub-rule (1) may be cited in evidence against the exhibitor of the film in proceedings against him for contravention of the provisions of Part II of the Cinematograph Act, 1952 (XXXVII of 1952).

"27E. *Transfer of rights in a certified film.*—(1) Where the owner of any film or of any interests therein transfers by sale or otherwise the rights of ownership or distribution of a certified film to some other person, both the transferor and transferee shall, as soon as may be, after the date of transfer, inform the Chairman of such transfer in writing in Form VII in the Schedule.

(2) Where the applicant for the examination of a film dies, his legal representative shall, as soon as may be, after the death of the applicant, inform the Chairman in writing of such death as well as of the devolution of the rights of the applicant upon such legal representative."

7. In rule 28—

(a) for sub-rule (2), the following sub-rule shall be substituted, namely:—

"(2) Where the Board considers that the film should be re-examined or where the Central Government directs the Board to arrange for the re-examination of a certified film, the Chairman shall appoint a Reviewing Committee to re-examine the film, consisting of the Chairman and two members of the Board nominated by the Chairman;

Provided that where two members of the Board are not readily available to serve on the Committee, the Chairman may, in place of one such member, nominate a member of an Advisory Panel to the Committee."

(b) after sub-rule (4), the following sub-rule shall be inserted, namely:—

"(5) The original applicant for the examination of the film or the person to whom the rights of ownership or distribution in the film have passed shall, on receiving written notice from, or on publication of the notice in the Official Gazette, by the Chairman or the Central Government, as the case may be, arrange to deliver a copy of the certified film to the Regional Officer concerned within such time as may be specified in such notice for examination by the Reviewing Committee under sub-rule (2) or by the Central Government to enable it to arrive at a decision under sub-rule (4) or sections 5 and 6 of the Cinematograph Act, 1952 (XXXVII of 1952)."

8. For rule 29, the following rules shall be substituted, namely:—

"29. *Alteration of film after issue of certificate.*—(1) When a film is altered by excision, addition, colouring or otherwise, after it has been certified under these rules, it shall not be exhibited unless the portion or portions excised, added, coloured or otherwise altered, have been reported to the Board in Form IIA in the Schedule and the Board have endorsed particulars of the alteration or alterations on the certificate.

Explanation.—Reasonable wear and tear in the normal course of handling, or projecting a film shall not be deemed to be alteration of the film within the meaning of this sub-rule.

(2) On receipt of the report referred to in sub-rule (1), the Regional Officer shall appoint an Examining Committee to examine at the expense of the applicant, the reel or reels in which the portion or portions altered occur:

Provided that the Examining Committee may, in its discretion, re-examine the entire film."

"29A. *Amendment of a certificate granted by the Board after notification in the Official Gazette under Section 6 of the Cinematograph Act, 1952 (XXXVII of 1952).*—When a notification is published under the powers conferred by section 6 of the Cinematograph Act, 1952 (XXXVII of 1952), declaring that a film in respect of which a 'U' certificate has been granted shall be deemed to be a film in respect of which an 'A' certificate has been granted, the person to whom the certificate has been granted or the person to whom the rights in the film have passed as the case may be, shall produce the certificate to the Board for amendment within a fortnight of the said publication."

9. For rule 30, the following rule shall be substituted, namely:—

"30. *Extra copies of films after certification.*—(1) Where after a film has been certified for public exhibition, any other copy or copies of it is or are imported or printed, whether in the original gauge or in a gauge different from the original, the applicant shall make a report in Form V of the Schedule to the appropriate Regional Officer. On receipt of such report, the Regional Officer may, in case of a variation in the gauge, make an endorsement on the certificate that the film is also suitable for public exhibition in the gauge in which the copy or copies has or have been imported or printed:

Provided that for the purpose of verifying that the only variation between the original and the copy or copies is that of gauge only, the Regional Officer may examine the film or have the film examined by a member of the Advisory Panel at the expense of the applicant.

(2) Where the applicant referred to in sub-rule (1) is not in possession of the certificate for the film as originally certified, the copy or the copies of the film shall be certified for public exhibition only after a fresh application for the examination of the film has been made under rule 22."

10. In rule 32—

(a) after sub-rule (2), the following sub-rules shall be inserted, namely:—

"(2A) Fees charged for the examination of a film for a fresh certificate referred to in the proviso to rule 27B shall be half of the rates laid down in sub-rules (1) and (2).

(2B) A fee of rupee one shall be charged for a duplicate or a subsequent copy of the certificate.

(2C) The Central Government may require the applicant preferring an appeal under sub-section (1) of section 5 of the Cinematograph Act, 1932 (XXXVII of 1952) to bear the cost of the transport and examination of the film in respect of which the appeal has been preferred."

(b) for the 'Explanation' the following 'Explanation' shall be substituted, namely:—

"*Explanation.*—When the entire film is re-examined under rule 29, the examination and translation fees chargeable shall be calculated with reference only to the reel or reels in which portion or portions excised, added, coloured or otherwise altered occur."

11. After rule 33, the following rule shall be inserted, namely:—

"33A. *Advertisement of films.*—Any person advertising a certified film or exhibition thereof by means of insertions in newspapers, hoardings, posters, handbills or any other means shall indicate in the advertisements whether the film has been certified for unrestricted public exhibition or for public exhibition restricted to adults only."

12. In the Schedule—

(a) in Form I,

(i) for the first item, the following item shall be substituted, namely:—

"(i) first imported into India at....."

(ii) in clause (h) after the word 'India' the words "or any foreign country" shall be inserted, and, after item (ii) in the same clause, the following items shall be inserted, namely:—

"(iii) was this film certified as suitable for public exhibition restricted to adults or for unrestricted public exhibition?

(iv) were any cuts ordered to be made in the film?

if so:

what are the details of cuts?"

(b) after Form II, the following Form shall be inserted, namely:—

"FORM II A

(See rule 29)

(To be submitted in duplicate)

Report under rule 29 of the Cinematograph (Censorship) Rules, 1951, regarding an alteration or alterations in a certified film.

1. Name of the applicant

2. Name of the film

3. Certificate No.

dated

4. Particulars of alterations

(Specify the exact alteration or alterations, length and the number of the reel or reels in which the alteration or alterations occurs or occur).

To

The Chairman, Central Board of Film Censors, through the Regional Officer at Bombay/Calcutta/Madras*.

I declare that the above particulars are true in every respect and are a full description of the alteration or alterations made in the film after its certification.

Signature of the applicant

Date

Address

(c) in Forms III and IV, after the line "Produced by.....", insert the following line, namely:—

"Language of the film....."and, in the line "Length of the film..... ft.", add the following words, namely:—

".....reels"

(d) for Form V, the following form shall be substituted, namely:—

"Form V

(To be submitted in duplicate)

(See rule 30)

Report under rule 30 of the Cinematograph (Censorship) Rules, 1951, regarding importation/printing of extra copy/*copies of the film after certification:

1. Name of the applicant
2. Name of the film
3. Number and date of the certificate issued
4. Gauge and length of the certified film
5. Gauge and length of the copy imported/printed*
6. Number of copies imported/printed* after the issue of the certificate.

(a) before the present report

(b) now

Signature of the applicant

Date

Address

To

The Chairman, Central Board of Film Censors, through the Regional Officer at Bombay/Calcutta/*Madras

I declare that the above particulars are true in every respect and that the copy/copies* referred to above is/are* an exact copy/copies* of the film in regard to which above mentioned certificate was issued except as respects the gauge.

Signature of the applicant

Date

Address

"

(e) after Form VI, the following Form shall be added, namely:—

"Form VII

(See rule 27E)

Report about transfer of rights of ownership or distribution of a certified film

To

The Chairman, Central Board of Film Censors, Bombay.

1. Name of the film
2. Number of certificate dated
3. Nature and extent of interest owned by transferor
4. Nature and extent of interest transferred

5. Date of transfer
 6. Name and address of the transferee
 7. Declaration I declare that the above particulars are true in every respect.
 transferor
 Signature of the _____
 transferee
 Date.....
 Address....."

[No. 35(23)51-F(C.C.R.A./5).]

C. B. RAO, Dy. Secy.

MINISTRY OF COMMUNICATIONS
(Posts & Telegraphs)

New Delhi, the 12th January 1953

S.R.O. 144.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Central Government hereby directs that the following further amendments shall be made in the Indian Telegraph Rules, 1951, namely—

In the said Rules—

1. In rule 123 the words 'at a reduced rate' shall be omitted.

2. For rules 124 and 124-A, the following rule shall be substituted, namely:—

"124—The minimum charge for a greetings telegrams for six words or less consisting of—

(a) the name of the addressee and address	...	...	...	4 words
(b) greeting (indicated by a number)	...	...	...	1 word
(c) name of sender	...	...	...	1 word

shall be as follows.

Class	For local greetings telegrams			For other greetings telegrams for delivery in India.		
	Charge	Each additional word over four in the address and over one in the name of the sender			Charge	Each additional word over four in the address and over one in the name of the sender
Express	Rs. 0 4 0	Rs. 0	1	0	Rs. 0 8 0	Rs. 0 2 0
Ordinary	0 2 0	0	0	6	0 4 0	0 1 0

A surcharge of annas eight (for Express) and annas four (for Ordinary) shall be levied in addition to these charges. (Rule 53)."

[No. T-85/50.]

S.R.O. 145.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules for recruitment and training of candidates for the cadre of Engineering Supervisors in the Indian Posts and Telegraphs Department:—

PART I—METHODS OF RECRUITMENT

1. These rules may be called the Engineering Supervisors Recruitment Rules, 1953.

2. For the purposes of these Rules—

(a) "Director-General" means the Director General of Posts and Telegraphs.

(b) "Departmental candidate" means—

- (i) a Telegraphist,
- (ii) a Telephone Inspector,
- (iii) a Line Inspector,
- (iv) a Telephone Operator,
- (v) a Mechanic (formerly known as Mistry),
- (vi) a Repeater Station Assistant,
- (vii) a Clerk of the Telegraph Engineering Branch,
- (viii) an Engine Driver or Assistant Engine Driver,
- (ix) an Installation Fitter,
- (x) a Selection Grade Mechanic,
- (xi) a Draughtsman.

employed in the Indian Posts and Telegraphs Department.

NOTE 1.—The minimum educational qualification for a departmental candidate is a pass in the Matriculation or an equivalent examination.

NOTE 2.—Wireless Operators are not eligible either as departmental or as outside candidates.

(c) "Outside Candidate" means a candidate other than a "departmental candidate". Members of the Staff of the department other than those mentioned above are "Outside candidates".

(d) "Service" means the Engineering Supervisors of the Indian Posts and Telegraphs Department in the unit of recruitment concerned.

3. Members of the Service shall belong to the cadre of the unit of their recruitment and shall normally be liable for duty only within that unit. In special circumstances, however, they may be called upon to proceed on duty to any place in India. They shall also be liable for field service in times of war or national emergency within the limits of India.

NOTE 1.—A list of units of recruitment and the extent of their jurisdiction is given in Appendix G to these rules.

NOTE 2.—For the purposes of these rules the Director-General shall be the sole judge as to what constitute "Special circumstances".

NOTE 3.—Candidates recruited for or appointed to the Technical and Development Circle including the office of the Senior Electrical Engineer and the Posts and Telegraphs Training Centre, Jabalpur shall be liable for transfer all over India.

4. Recruitment to the Service shall be as follows:—

- (i) 25 per cent. by direct recruitment through a competitive examination in accordance with part II of these rules.
- (ii) 25 per cent. by recruitment of departmental candidates through a competitive examination in accordance with part III of these rules.
- (iii) 50 per cent. by recruitment of departmental candidates who qualified in the Trade Test held in December 1951 and have been placed on the waiting list in accordance with Note 2 below rule 5 of the Engineering Supervisors Recruitment Rules, 1951 notified in S.R.O. 1295, dated the 18th August 1951.

5. If the number of departmental candidates who qualify is less than the number of vacancies available for such candidates, the remaining vacancies will be added to the vacancies available for outside candidates.

6. *Place and date of examination.*—A competitive examination for admission of departmental and outside candidates to the service shall be held in India at such time and places as the Director-General may prescribe by notice issued through the Heads of Circles. Every such notice will, when possible, announce the number of vacancies to be filled on the result of the examination in each unit of recruitment. Outside candidates must attend at their own expense.

7. Candidates will be required to indicate in the order of their preference the units of recruitment in which they wish to be appointed. They will be allotted to the unit of their choice strictly in the order of merit in the examination and subject to the availability of vacancies.

8. *Subjects and marks.*—The examination under these Rules shall be conducted by the Director-General in the manner prescribed in the regulations in Appendix A to these rules.

9. *Fees*.—Candidates must pay the prescribed fees (see Appendix V). No claim for a refund of any of these fees will be entertained, nor can they be held in reserve for subsequent examination or selections.

10. *Revaluation of answer papers*.—No application from any candidate to have his answer papers re-valued will be considered.

PART II.—DIRECT RECRUITMENT

11. *Applications*.—(1) A candidate must apply to be admitted to the examination before such date, in such manner and in such form as the Director-General may prescribe.

*(2) If a candidate is in the permanent service of Government he shall apply for admission to the examination through the proper official channel to the Head of the Circle in which his office is situated.

(3) If a candidate is not in Government service or is employed in Government service in a temporary capacity at the time that he submits his application he shall apply to the Head of Circle in which his parents reside at the time of submitting his application, or have resided for a period of not less than three years or in which the candidate himself resided, otherwise than as a student, for a like period. But a candidate who has migrated from Pakistan as a displaced person and is seeking employment or is already employed in Government service in a temporary capacity in India shall apply to the Head of the Circle in which he resides at the time of submitting his application. A Government servant including a displaced person from Pakistan who is employed in a temporary capacity should, however, before submitting his application obtain in writing the permission of the Head of the office or department in which he is employed and attach it to the application.

A list of the Circles is given in Appendix C.

12. A candidate must be—

- (i) a citizen of India, or
- (ii) a subject of Sikkim, or
- (iii) a person who has migrated from areas which now form the territory of Pakistan with the intention of permanently settling down in India, or
- (iv) a subject of Nepal or of a Portuguese or French possession in India.

NOTE.—The appointment of candidates in categories (c) and (d) above will be subject to the issue of certificates of eligibility in their favour by Government. Certificates of eligibility will not however be necessary in the case of candidates belonging to any of the following categories:—

- (1) Persons who migrated to India from Pakistan before 19th July 1948 and have ordinarily been resident in India since then;
- (2) Persons who migrated to India from Pakistan on or after 19th July 1948 but before 30th September 1948 and had got themselves registered as citizens within the time allowed;
- (3) Non-citizens who entered service under the Government of India before the commencement of the Constitution that is 26th January 1950, and who have continued in such service since then. Any such persons who re-entered or may re-enter such service with a break, after the 26th January 1950, will however require certificates of eligibility in the usual way.

13. *Age*.—A candidate must have attained the age of 17, and must not have attained the age of 24, on the first day of January, of the year in which the examination is held.

NOTE 1.—The upper age-limit prescribed above will be relaxed (i) upto a maximum of five years if a candidate belongs to a Schedule Caste or a Scheduled Tribe.

NOTE 2.—The maximum age limit prescribed above will be relaxed to 45 years in case of *bona fide* displaced persons from Pakistan and 50 years in case of *bona fide* displaced persons who belong to the Scheduled Castes or Scheduled Tribes.

NOTE 3.—The maximum age limit will also be relaxable in case of candidates who took part in the National Movements (*vide* Appendix H).

*The submission of applications by persons in Government service is further governed by a Government Servants' Application for Posts (Central Services),
(Railway Services)

Rules (Published with Government of India

Home Department

Railway Department (Railway Board)

Notification No. F. 510/31-Fat.
No. E. 34-R. R. I.

dated the 7th June 1934 22nd January 1935, as amended from time to time) and the corresponding rules made by State Governments.

14. *Educational qualifications.*—A candidate must

- (i) have passed the Intermediate or an equivalent examination of an Indian University with Physics or Mathematics as one of the subjects, or
- (ii) have obtained one of the diplomas in Engineering described in Appendix D; or
- (iii) have successfully completed the first year's course of the three years' degree course (with Physics or Mathematics as one of the subjects) of the Delhi University and produce a certificate from the Principal of his college that his work during the year had been satisfactory and up to a reasonable standard; or
- (iv) have passed the Cambridge Higher School Certificate examination,
- (v) have passed the pre-Engineering or pre-Medical Examination of the Delhi University with Physics or Mathematics as one of the subjects; or
- (vi) have passed the B.Sc. degree examination, in any subject, of an Indian University.

NOTE.—A candidate who has appeared at an examination the passing of which would give him the educational qualification prescribed in this rule, may be admitted to the examination referred to in rule 6, on the following conditions.

- (a) that he is otherwise eligible to appear at the examination referred to in rule 6;
- (b) that he produces a certificate from the head of his educational institution to the effect that he has appeared at the examination the passing of which would give him the educational qualification prescribed in this rule; and
- (c) that he shall not be selected for appointment to the service unless he produces the certificate of the prescribed educational qualification before the announcement of the results of the examination referred to in rule 6.

15. *Recommendations.*—No recommendations, except those invited in the form of application, will be taken into consideration. Any attempt on the part of a candidate to obtain support for his application by other means will disqualify him for admission.

16. *Acceptance or rejection of application.*—(1) Heads of Circles will examine the applications of outside candidates and if they find that any candidate does not fulfil the conditions laid down in rule 11 to 15 above, will reject his application.

(2) Outside candidates employed in the Department will be selected by the Head of the Circle after a scrutiny of their confidential records. The Head of the Circle will have full discretion to reject the application of a candidate whose record is unsatisfactory.

(3) Heads of Circles will give candidates, whose applications are rejected, intimation of the fact.

17. *Reserved vacancies.*—Appointments to the Service are subject to the orders of communal representation in the services issued by the Ministry of Home Affairs from time to time.

18. *Medical Examination.*—A candidate must be in good mental and bodily health, and free from any physical defect likely to interfere with the discharge of his duties as an officer of the Service. A candidate who as a result of the medical examination prescribed in Appendix E is found not to satisfy those requirements will not be appointed. Only candidates who are selected for training will be physically examined.

19. *Agreement and deposit.*—(1) A successful candidate will be required before the commencement of his training to sign in the form laid down in Appendix F an agreement to serve Government for a period of 5 years from the date of his appointment as Engineering Supervisor and to deposit a sum of Rs. 50 as security for the due fulfilment of the terms of the agreement.

(2) If the candidate has not completed 18 years of age prior to the commencement of his training the agreement must also be signed by his father or legal guardian. As soon as the candidate has attained majority, he will be required to sign a separate agreement himself, the former one being cancelled.

(3) The amount of security must be deposited in a Post Office Savings Bank and the security deposit account pledged to the Head of the Circle to which the candidate submitted his application for admission to examination in accordance with the

Savings Bank rules. The pass book must be submitted to the Divisional Engineer, Telegraphs, Training Centre, Jabalpur, who will forward the documents to the Head of the Circle for safe custody.

(4) The refund of the security deposit will be authorised after the candidate has completed 5 years of service as Engineering Supervisors.

NOTE.—Permanent officials of the Posts and Telegraphs Department selected for training are exempt from the security deposit and declaration.

PART III.—RECRUITMENT OF DEPARTMENTAL CANDIDATES THROUGH COMPETITIVE EXAMINATION

20. *Eligibility.*—(1) Departmental candidates who have not more than 9 years permanent service in their respective grades on the 1st of January of the year in which the examination is held will be eligible to appear for the competitive examination.

(2) The maximum limit of 9 years service may be relaxed by the Director General at his discretion in individual cases.

NOTE.—Temporary officials who have rendered not less than three years' continuous service as departmental candidates will be eligible to appear in the competitive examination as departmental candidates.

21. *Applications and selection of candidates.*—Candidates must fill in the prescribed application form and submit it to the Head of the Circle concerned. Heads of Circles will select suitable candidates from the applicants after a scrutiny of their confidential records. They will have full discretion to reject the application of a candidate whose record is unsatisfactory. Candidates whose applications are rejected will be duly informed.

22. *Filling of vacancies.*—Vacancies available for departmental candidates will be filled by successful candidates strictly according to merit in the examination.

23. *Medical Examination.*—Selected departmental candidates will be required to pass the medical examination prescribed in rule 16.

PART IV.—TRAINING

NOTE.—The following course of training for candidates may be modified by the Director-General if circumstances render this desirable.

24. All selected candidates will be given a course of training not exceeding 12 months. The syllabus for the training courses, the examinations (written, practical or oral), the number of marks for each such examination and other connected details shall be prescribed by the Director-General.

25. *Qualifying Marks.*—The minimum qualifying standards for the examination will be 40 per cent of the marks in each subject.

26. *Removal of unsuitable candidates.*—Any candidate who is found unsuitable at any stage or fails to secure the minimum qualifying marks at any of the examinations will be liable to immediate removal from the class and will not be allowed to sit again for the entrance examination referred to in rule 5.

27. *Allowances during training.*—During the period of training, direct recruits will receive an allowance of Rs. 80 p.m. or such amounts as may be fixed from time to time.

Departmental candidates as well as officials of the Posts and Telegraphs Department other than departmental candidates defined in rule 2 (b) will be entitled to the pay and allowances that they would have drawn but for their deputation to the training class, or the training allowance whichever is greater.

28. *Discipline.*—During the period of training and until they are posted to a station for duty the Engineering Supervisors will remain under the disciplinary control of the Divisional Engineer, Training Centre, Jabalpur.

PART V.—APPOINTMENT AND EMOLUMENTS

29. *Appointment.*—(1) On successful completion of the course of training a candidate will be appointed as an Engineering Supervisor on probation for one year subject to the existence of vacancies in that grade. Employment as an Engineering Supervisor is not however guaranteed on the completion of the course of training.

NOTE.—On being struck off from the training class candidates should forthwith report at the place of duty. Any undue delay in this respect, without the prior sanction of the competent authority may result in the disciplinary action against the candidate concerned.

(2) If the work or conduct of an Engineering Supervisor on probation is unsatisfactory or shows that he is unlikely to become efficient he may be discharged forthwith.

(3) On the conclusion of his period of probation, if his work or conduct has been found to be unsatisfactory he may either be discharged from service or his period of probation may be extended for such further period as may be considered necessary.

30. *Seniority.*—Seniority of members of the service in all units of recruitment shall be fixed on an all-India basis. For this purpose they shall first be divided into two groups viz., (1) departmental candidates and other members of the staff of the Department who were selected as outside candidates and (2) other outside candidates. Members in each group shall be arranged according to the percentage of marks obtained by each at the final examination in the different subjects held on completion of training at the departmental training class. The combined seniority shall then be fixed in cycles of four points each, the first three points in each cycle being allotted to members of group (1) in order of merit and the fourth to a member of group (2) in order of merit, until both groups are combined into one list. Candidates who are given an extended training will for all purposes of seniority be considered as a separate batch junior and just below the batch to which they originally belonged and their seniority *inter se* will be determined in accordance with the same principle as mentioned above. All the Engineering Supervisors appointed after one examination will rank senior to those appointed after a later examination.

31. *Scale of pay.*—(1) The prescribed scale of pay for Engineering Supervisors is Rs. 100-8-140-10-300.

Higher initial pay of Rs. 124 in the said scale is allowed to such candidates who have completed their full course of training including those who have been recruited through "Trade Test".

(2) Departmental telegraphists who were in service on the 18th April 1927 and have not elected the prescribed scales and are eligible for promotion to the rank of Engineering Supervisors will, on such promotion, be brought on to the old scale of Rs. 80-5-100-10-250-20-350 (with an efficiency bar at the stage of Rs. 250) under Fundamental Rule 22(a)(i) and will get a special pay of Rs. 40 subject to a maximum of pay and special pay of Rs. 350.

(3) Departmental telegraphists who entered the Department after the 18th April 1927 and other departmental candidates who are entitled to the old rates of pay will be brought on the scale of Rs. 120-5-140-10-290-20-350 (with an efficiency bar at the stage of Rs. 290) under the Fundamental Rules and will not get any special pay.

32. *House Rent allowance.*—Members of the Service recruited to the Unit "Technical & Development Circle" shall be eligible while serving in that unit, for house rent allowance or rent free quarters in lieu thereof at the rates admissible to the all India service of Engineering Supervisors. Other members of the Service shall be eligible for house rent allowance at the rates sanctioned for other Central Government servants at the station of their posting but shall, in the event of their transfer to posts in the Technical and Development Circle including the offices in that recruitment unit, be eligible for house rent allowance or rent free quarters in lieu thereof at the rates admissible to the all India Service of Engineering Supervisors.

33. *Signalling test.*—All Engineering Supervisors recruited under these rules will be required during the first five years of their service to pass annually a signalling test to earn their annual increment of pay. The particulars of this test will be prescribed later.

APPENDIX A.

(Referred to in rule 8)

The subjects of the examination will be—

	Marks
(1) English including General knowledge	100
(2) Geography (a general knowledge of the world and a detailed knowledge of the Geography of India).	100
(3) Elementary physics including statics and dynamics	100
(4) Practical Mathematics— Arithmetic, Algebra, Geometry, Trigonometry and Mensuration	100
Total	400

The minimum marks for qualifying will be 40 per cent. in each paper.

2. From the marks assigned to candidates in each subject such deduction will be made as may be considered necessary in order to secure that no credit is allowed for merely superficial knowledge.

3. If a candidate's handwriting is not easily legible, a deduction will be made on this account from the total marks otherwise accruing to him.

4. Credit will be given for good English in all subjects of the examination and not only in subjects which are specially devoted to English.

APPENDIX B

(Referred to in rule 9)

Candidates must pay the following fees :—

	Outside candi- dates Rs.	Depart- mental candi- dates Rs.
(i) Application fee to be paid with the application form	5	5
(ii) Examination fee to be paid on selection for admission to the written examination	25	10
(iii) Medical fee to be paid before the medical examination	16	16

NOTE.—The scheduled caste and scheduled Tribe candidates will be required to pay one-fourth of the examination fees prescribed in items (i) and (ii) above.

2. The examination fees must be paid into a post office. Fees remitted by money order, postal order or cheques will not be accepted.

3. The post office receipt for the application fee must be submitted with the application form.

4. The examination fee must be paid on receipt of a written order from the Head of the Circle and the post office receipt therefor produced before the examination is held.

5. The Medical fee must be paid in cash to the Medical Board on receipt of a written order from the Head of the Circle and before the medical examination.

APPENDIX C

(Referred to in rule 11)

Name of Circle	Official designa- tion of officer in charge	Headquarters
Assam } Orissa } West Bengal } Bihar } Bombay } Central } Madras } East Punjab } Uttar Pradesh }	Director of Posts & Telegraphs. Postmaster-General	{ Shillong { Cuttack { Calcutta { Patna { Bombay { Nagpur { Madras { Ambala { Lucknow

APPENDIX D

[Referred to in rule 14 (ii)]

Particulars of Diploma	Name of Institution granting the Diploma
(a) Electrical Engineer.	Victoria Jubilee Technical Institute, Bombay. Technical College, Dayalbagh, Agra.
(b) Mechanical and Electrical Engineering.	College of Engineering Poona, Nadirshaw, Eduji, Dinshaw Civil Engineering College, Karachi. Technical Institute, Insein.
(c) L.E.E. or L.M.E. or L.A.E.	Government School of Technological Dip- lomas Examination Board, Madras.
(d) Overseer	Ahsanullah School of Engineering, Dacca. Thomason Civil Engineering College, Roorkee.
(e) Mechanical Engineering	Technical College, Dayalbagh, Agra.
(f) Civil Engineering	Technical Institute, Insein. Orissa School of Engineering.
(g) Mechanical and Electrical Engineering (specialised in Mechanical or Electrical Engineering) (Grade A).	Government Technical Institute, Gorakh- pur, U. P. Government Technical Institute, Lucknow.
(h) Subordinate Civil Engineering	Bihar College of Engineering, Patna.
(i) Civil, Mechanical or Automobile Engineer- ing.	Government Engineering School, Nagpur.
(j) Mechanical, Electrical or Civil Engineering	Kala Bhavan Technical Institute, Baroda.
(k) 'A' Class Diploma or 'B' Class Certificate.	MacLagan Engineering College, Moghalpura Lahore.
(l) Mechanical and Electrical Engineering.	College of Engineering & Technology, Jadavpur, Bengal.
(m) Electrical Technology.	Nowrosjee Wadia College, Poona.
(n) Electro Mechanics	Craig Technical Institute, Lahore.
(o) B. E. (Mechanical).	Osmania University, Hyderabad.
(p) Mechanical, Electrical or Civil Engineer- ing.	Mysore University.
(q) Do.	Travancore University.
(r) All India Electrical Engineering	} Delhi Polytechnic.
(s) Pre-Engineering Course.	
(t) Electrical and Mechanical Engineering.	National Institute of Engineering, Hoshiarpur.
(u) All India Certificate in Civil, Mechanical & Electrical Engineering.	All India Council for Technical Education.
(v) Electrical and Mechanical Engineering.	Government Institutes, Gorakhpur, Jhansi and Lucknow provided diploma holders are Matriculates.
(w) Civil Engineering	University of Travancore.
(x) Civil Mechanical and Electrical Engineer- ing.	Government School of Engineering, Bangalore.
(y) Civil, Mechanical and Electrical Engineer- ing.	Muslim University, Aligarh.

APPENDIX E

(Referred to in rule 18)

Each candidate should be examined for physical fitness by a Medical Board who should be informed that a good constitution and active habits are essential qualifications for the post for which the person has been selected and that, if appointed, his future duties will render him liable to considerable exposure at all seasons of the year anywhere in India. The Medical Board should be asked clearly to state whether they consider the person examined capable of performing such duties. Inability to distinguish principal colours shall be regarded as a disqualification leading to the rejection of a candidate. The candidates shall be examined in accordance with the following standards of visual acuity :—

	Distant vision	Better eye	Worse eye
Without glasses		6/60	6/60
Corrected with glasses		6/6	6/12
Near vision		0.8	1

APPENDIX F

(Referred to in rule 19)

Form of Agreement for candidates to be trained as Engineering Supervisors.

To

The President of India.

I, son of
 having been admitted on the day of 195
 for technical training as a candidate for employment in the grade of Engineering Supervisors in the
 Indian Posts and Telegraphs Department hereby of my own free will (*and with the consent of my
 father/guardian
 of who has signed below in token of his agreement
 and acknowledgment on my behalf), agree and bind myself as follows :—

(1) I will undergo the full course of training extending over 12 months prescribed or for such other period as may be prescribed by the competent authority ;

(2) I accept the terms and conditions of my training and of my future service on probation in and of the service generally in the grade of Engineering Supervisors in the Department as laid down at present or as may be laid down from time to time ;

(3) I will after the successful completion of my training serve the Department as an Engineering Supervisor for five years from the date of my appointment in the grade of Engineering Supervisors and during that period I shall not sever my connection with the Department unless I first obtain the consent of the competent authority ;

(4) I understand that my appointment in the said grade shall be on a temporary basis ;

(5) The sum of Rs. 50 deposited by me/my*father/guardian, on my behalf will remain with Government as security for the due fulfilment of the above conditions ;

(6) In case of my removal from the training class or service on account of misconduct or unsuitability and in case of a breach by me of conditions (1) and (3), except owing to ill health not brought on by my own carelessness or other cause not due to my fault or over which I have no control or my death, you shall have full power to order forfeiture of the amount of security deposit and also the repayment of stipends drawn by me during the course of training ;

(7) If upon completion of my training I am not appointed in the paid grade of Engineering Supervisors in the Department the said deposit of Rs. 50 shall then be returned, and if I am so appointed then the same shall be returned at the termination of my first five years of service.

Date.....

Signature of candidate

I, father/guardian of the said confirm and agree to be bound by the above terms.

Date.....

Signature of father/guardian.

*For minors only.

APPENDIX G

(Referred to in rule 3)

Unit of recruitment	Circle and Units for which recruitment is to be made
1. Assam Circle	Assam Circle.
2. West Bengal Circle.	West Bengal Circle, Calcutta Telephone District including Automatisation Section, Telegraph Workshops Calcutta including office of the General Manager, Workshops, Offices of the Chief Controller of Telegraph Stores, Calcutta and the Controller of Telegraph Stores, Calcutta and Office of Regional Engineer Maintenance, Calcutta.
3. Uttar Pradesh Circle	U. P. Circle and Posts and Telegraphs Training Centre, Saharanpur.
4. Bihar Circle	Bihar Circle.
5. Orissa Circle	Orissa Circle.
6. Central Circle.	Central Circle and Telegraph Stores and Workshops, Jabalpur.
7. Madras Circle	Madras Circle, Madras Telephone District, and Office of the Regional Engineer Maintenance, Madras and Stores Depot, Madras.
8. Bombay Circle	Bombay Circle, Bombay Telephone District, including Ahmedabad, Bombay Telephone Workshops, Office of the Controller of Telegraph Stores, Bombay and Office of the Regional Engineer Maintenance, Bombay.
9. Punjab Circle, (including Delhi province).	Punjab Circle, Delhi Telephone District Office of the Regional Engineer Maintenance, Delhi, and Store Depot Delhi.
10. Technical & Development Circle.	Organisation of the Technical and Development Circle including office of the Senior Electrical Engineer, and Posts and Telegraphs Training Centre, Jabalpur.

[No. STA 116/2/52.]

K. V. VENKATACHALAM, Dy. Secy.

MINISTRY OF LABOUR

New Delhi, the 7th January 1953

S.R.O.146 Corrigendum.—In this Ministry's Notification No. LW.3(1)48, dated the 8th October, 1949, published in the *Gazette of India*, Part I—Section 1, dated the 15th October, 1949 on page 1443 to 1444, for the 'Statements of Accounts 1946-47 and 1947-48', read the following, namely:—

"Statement of Account 1946-47

Receipts	Rs.	Expenditure	Rs.
Opening balance	54,73,474	Expenditure during the year	57,15,531
Receipt during the year	43,42,500	Closing balance	41,00,443
Total	98,15,974	Total	98,15,974

Statement of Accounts 1947-48

Receipts	Rs.	Expenditure	Rs.
Opening balance	41,00,443	Expenditure during the year	22,93,034
Receipt during the year	50,70,964	Closing balance	68,78,373
Total	91,71,407	Total	91,71,407

2. *Corrigendum II.*—In this Ministry's Notification No. LW.3(17)1949, dated the 17th May, 1950, published in the *Gazette of India*, Part I—Section I, dated the 27th May, 1950, on pages 165 to 169, for the 'Statement of Accounts 1948-49' read the following namely:—

"Statement of Accounts 1948-49"

Receipts	Rs.	Expenditure	Rs.
Opening balance	68,78,373	Expenditure during the year	41,07,528
Receipts during the year	63,05,351	Closing balance	90,76,196
Total	1,31,83,724	Total	1,31,83,724"

3. *Corrigendum III.*—In this Ministry's Notification No. M-15(6)51, (S.R.O. 889), dated the 31st May, 1951, published in the *Gazette of India*, Part II—Section 3, dated the 9th June 1951, on pages 922—932, for the 'Statement of Accounts 1949-50' read the following, namely:—

"Statement of Accounts 1949-50"

Receipts	Rs.	Expenditure	Rs.
Opening balance	90,76,196	Expenditure during the year	55,22,048
Receipts during the year	47,11,298	Closing balance	82,65,446
Total	1,37,87,494	Total	1,37,86,494"

[No. M.15(7)52.]

S T. MERANI, Dy. Secy.

New Delhi, the 7th January 1953

S.R.O. 147.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the dispute between the Allahabad Bank Limited, and its workmen relating to the termination of the services of Shri B. N. Chaturvedi.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

20/1, Gurusaday Road, Ballygunge, Calcutta—19.

Before Shri K. S. Campbell-Puri, B.A., LL.B., *Chairman.*

REFERENCE No. 22 OF 1951

Between

The Allahabad Bank Ltd.,

AND

Their workmen

(Re: Shri B. N. Chaturvedi of Aligarh Branch).

APPEARANCES: Shri A. C. Kakkar, General Secretary, assisted by Shri P. C. Jain, Secretary, Aligarh Unit, for the U.P. Bank Employees Union.
Shri B. N. Chaturvedi in person.

Shri Loknath Shukla, District Inspector, assisted by Shri Ram Lal Gupta, Assistant Agent, Aligarh Branch, for the Allahabad Bank.

AWARD

By Notification No. LR-100(5), dated 7th December 1951 Government of India in the Ministry of Labour referred an industrial dispute existing between the Allahabad Bank Ltd. and their workmen to this Tribunal for adjudication, in respect of the matter specified in the schedule which reads as follows:

SCHEDULE

Whether the termination of the services of Shri B. N. Chaturvedi from the Aligarh Branch of the Bank on or about the 23rd December 1950 was justified and if not whether he should be reinstated or suitably compensated.

The usual notice was issued to the General Secretary, U.P. Bank Employees Union for filing statement of claim in a month's time with a copy to the other side, as well as the Employer Bank to file their written statements thereafter. On the completion of pleadings the hearing in the case came up in due course on 19th December at Allahabad and concluded on 22nd December 1952. The complainant Shri B. N. Chaturvedi was present in person and Shri P. C. Jain, General Secretary, U.P. Bank Employees Union assisted by Shri P. C. Jain, Assistant Secretary, Aligarh Unit made their appearance on behalf of the workmen. The Bank was represented by Shri Loknath Shukla, assisted by Shri Ram Lal Gupta, Assistant Agent, Aligarh Branch. The complaint as disclosed from the statement of claim summarised briefly is that Shri Chaturvedi was an old employee of the Bank having joined the Bank's service in the year 1945 as an Assistant Cashier and had good record of service at his back. It so happened that in the year 1950 he was transferred to Aligarh Branch and his relations became strained with the Head Cashier Shri Bhola Nath Tandon on account of the latter's behaviour towards the complainant and other cashiers. Shri Chaturvedi along with others, finding the situation intolerable, lodged a complaint against the Head Cashier to the local Agent and also moved the Employees Union and the Treasurer in the matter. The Treasurer called upon the Head Cashier to explain his position whereupon Shri Tandon asked the Cashiers to give in writing that they had no complaint and succeeded in prevailing upon some of them but the complainant refused to withdraw the complaint. It was maintained that the Head Cashier became inimical to the complainant and used to send reports against him off and on and ultimately certain charges were levelled against the complainant. The regular charge sheet was given to the complainant on 9th September 1950 relating to certain incidents alleged to have occurred in the months of April, June and August 1950. The complainant denied the charge by submitting his explanation but no enquiry was made into the charges. It was submitted that according to the information of the Union the Agent of the Branch in his report, sent to the General Manager, held Shri Chaturvedi innocent and laid the blame on the Head Cashier. Shri Chaturvedi despite the charges continued working till 23rd September 1950 when he applied for three days' Casual Leave with effect from 25th September 1950. In the course of this short leave period an office order was issued on 26th September whereby the services of the complainant were terminated in purview of Para. 322(1) of the All India Industrial Tribunal (Bank Disputes) award. No reason however was assigned in the office order nor the complainant was apprised of the contents of order. The Employees Union having come to know about the discharge of the complainant moved the Regional Labour Commissioner and secured a stay order dated 27th December 1950 whereby the Allahabad Bank Ltd. was called upon to take no further step in the matter till the pendency of the spot enquiry by the Conciliation Officer, Kanpur. The complainant also applied for an extension of leave up to 2nd January 1951 and was informed that his services had already been terminated. The Regional Labour Commissioner meanwhile deputed the Conciliation Officer to investigate into the matter and on the basis of his report directed the Bank to take back Shri Chaturvedi in service inasmuch as the provisions of para. 322 of the All India Industrial Tribunal award were not applicable in his case. The Bank however did not comply with the Regional Labour Commissioner's direction and the Union was informed to that effect by letter dated 24th February 1951 and the case was submitted to higher authority. The Union examined Shri B. N. Chaturvedi, the complainant, as well as Shri P. C. Jain, Secretary of the Employees Union, Aligarh Unit in support of the complaint and also relied upon documentary evidence exhibited on the record from Ex. A to Ex. N.

On the other hand the case of the Bank as stated by Shri Shukla put briefly is that the Bank has a trusteeship system of the Cash Department which is governed by an agreement between the Bank and the Treasurer and that all appointments are accordingly made on the recommendation of the Treasurer and that all appoint-

ments are accordingly made on the recommendation of the Treasurer and under the guarantee of the Treasurer who is responsible in terms of the agreement for the acts of omission and commission by the employees of the Cash Department, and to make good of the losses occasioned through error, negligence and any defalcation of accounts by the employees. It was submitted that whosoever enters the Bank's service in the Cash Department is made aware that his acts are to be guaranteed by the Treasurer and that guarantee shall continue so long he enjoys the confidence of the Treasurer. And as soon as the guarantee is withdrawn his services come to an end. It was alleged that in this instant case several complaints were received by the Treasurer against the work and conduct of Shri Chaturvedi whereupon the Treasurer wrote to the Bank to frame charges against the complainant. The Bank accordingly charge-sheeted the complainant and gave him an opportunity to submit his explanation. The Treasurer however was not satisfied with his explanation and asked the Bank to terminate his services. The stand taken up by the Bank in the words of Shri Shukla was that the Bank being bound in terms of the agreement with the Treasurer to accept his proposal regarding transfer, suspension, discharge or dismissal of any employees of Cash Department had no alternative but to terminate the services of Shri Chaturvedi. A copy of the agreement was filed and reliance was placed on other relevant documentary evidence which was exhibited on the record from Ex. 1 to Ex. 14/A. Shri Shukla also examined Shri Ram Lal Gupta, Assistant Agent, Aligarh Branch and Shri Shiv Narain Seth, Personal Assistant to the Treasurer in support of the plea advanced on behalf of the Bank.

Now in the light of the defence plea taken up by the Bank in support of the discharge of Shri Chaturvedi, the issue can be resolved by answering one question viz. 'whether Shri Chaturvedi, admittedly an employee of the Cash Department, was a nominee of the Treasurer for the purposes of service conditions and not an employee of the Bank'. But as the Bank also referred to certain charges pertaining to the shortage of Rs. 100, Rs. 40 and Rs. 100 in the account of Shri Chaturvedi when he was working at Aligarh; it would be safer and advisable to consider the charges also. This background was moreover explained by the Union on behalf of Shri Chaturvedi in the statement of claim repudiating the charges and formed the subject of discussion in the course of evidence and arguments by both sides. It was however admitted that the Bank did not depute any officer of the Bank to investigate into the charges and the whole matter was left at the will of the Treasurer. In point of fact as said above the charges were levelled on the asking of the Treasurer who was alleged to have received complaints against Shri Chaturvedi and the Bank only registered his decision in the matter of discharge of an employee of Cash Department as if the Bank had no relation with the employee and the continuance or termination of his services was the sole concern of the Treasurer. Judged in this view adopted by the Bank the issue can again be determined merely by referring to certain previous decisions of the Labour Appellate Tribunal and awards of the Industrial Tribunals whereby it has been held that the employees of the Cash Department are as good the employees of the Bank as others working in the Bank. But I think it would be fair and more proper to consider the evidence brought on the record with regard to the charges framed against the complainant and his general conduct on the basis of which it was contended on behalf of the Bank that he had lost the confidence of the Bank and as such he was not entitled to any relief.

Now Shri Chaturvedi in his deposition states that he joined the Bank's service in February 1945 and there was no occasion of any difference with the Bank or his superior officers up till 1949 when unhappily he was transferred to Aligarh and the Head Cashier Shri Tandon fell foul with him by his undignified and insulting behaviour and protests and complaints were made by the Cashiers against him. This part of statement is evidenced by a written complaints (Ex. B) sent by the three Cashiers against the Head Cashier, Shri Tandon. It is a different matter as to whether this complaint was well founded or not as Shri Tandon has not come in witness box but the hard fact remains that all three Assistant Cashiers lodged a joint complaint against the behaviour of the Head Cashier and it is not denied that Shri Tandon was called upon to explain his conduct. This evidence furthermore furnishes a cue that the relations of Shri Chaturvedi did not remain cordial with Shri Tandon. This complaint is dated the 8th July 1950 and preceded the charge sheet (Ex. 5), dated 9th September 1950 whereby Shri Chaturvedi was called upon to explain the charges with regard to a shortage of Rs. 100 detected on the complaint of Messrs. Banwarilal Harmukhrai, and other shortages found in the account on the complaints of Messrs. Rasulganj Co-operative Store and Messrs. Rama Book Depot. It is therefore significant to note that these charges were levelled after Shri Chaturvedi had refused to comply with the wishes of Shri Tandon, to withdraw his complaint against the latter. The explanation of the complainant

is dated 15th September 1950 and the averments were supported by the statements of all three aforesaid firms *vide* (Exs. D, D/1 and D/2). One of these is reproduced for the proper understanding of the position.

Ex. D.

To

The Manager,
Allahabad Bank, Aligarh.

D/Sir,

I have come to learn that enquiries are being made with reference to my application which I filed against your Cashier Shri Batuk Nath. I feel sorry why this formality is being observed when I have already informed your Bank about it, that my money have been found out. So please cancel my previous application and oblige.

Yours faithfully,

(Sd.) ANAND PRAKASH,

The 13th September 1950.

Accountant, Rasalganj C.C. Stores, Aligarh.

It is thus abundantly clear from Ex. D series that some of the firms lodged complaints against Shri Chaturvedi but subsequently gave in writing that the alleged shortage was traced and that their accounts were found correct subsequently. This kind of evidence obviously is not of much value both ways but its evidential value so far the charge was concerned naturally would be nil. It follows that those complaints which were subsequently withdrawn cannot be treated as a sufficient data for the discharges of an employee on the plea that he had forfeited the confidence of the employer.

The other accusation against Shri Chaturvedi was that some shortages were found in his accounts which he was made to make up by instalments and some of the money is still due to the Treasurer. In this respect the statement of Shri Ram Lal Gupta is noteworthy when he says in cross-examination that shortages in accounts are not general but sometime they do occur with all the cashiers. It appears that mere shortage in account cannot be treated as embezzlement and more especially when Shri Chaturvedi was not charge-sheeted for these shortages and was called upon to make up the amount only these incidents do not amount to misconduct by any stretch of reasoning. On the top of it, the Bank has not discharged him on the basis of any misconduct but has dispensed with his services under para. 322(i) of the All India Industrial Tribunal (Bank Disputes) award. This provision reads as follows:

"322. We now proceed to the subject of termination of employment. We give the following directions:

- (i) In cases not involving disciplinary action (i.e. in cases in which the employee in question has not *prima facie* been concerned in the commission of an offence or in any act or commission falling within the scope of gross misconduct or minor misconduct as defined above), and subject to clause (7) below, the employment of a permanent employee may be terminated by three months' notice or on payment of three months' pay and allowances in lieu of notice and the employment of a probationer may be terminated by 45 days' notice or an payment of 45 days' pay and allowance in lieu of notice."

In the first place the award of All India Industrial Tribunal (Bank Disputes) has been declared void by the Supreme Court and is no longer in force. Secondly as borne out by the wording of this provision it applies in the cases of retrenchment and does not cover the cases of misconduct which was alleged to have been committed by the complainant. The penalty for misconduct moreover must have been one of dismissal after proper enquiry. EW-2 has no doubt stated that the Treasurer made confidential enquiries but it was admitted that no regular enquiry was made by the Bank or the Treasurer by affording an opportunity to the complainant to lead evidence in defence or to meet the charge on the examination of any witness against him. In regard to the applicability of the provisions of para. 322(i) it is also pertinent to see that no reasons were assigned in the order as ordained under clause (2) or any notice was given as contemplated under para. 323. These direc-

tions regarding notices and orders are given in para. 323 with which the employee affected was to be served, and the notice was to be exhibited on the Notice Board of the Bank at the offices or establishments concerned. In this case the Bank's plea is that Shri Chaturvedi was present on 23rd and he was asked to sign the office order but he refused. This was supported by the Assistant Agent in his deposition and I have no reason to disbelieve him. But this by itself does not satisfy the dictates of para. 323. Furthermore the direction given in para. 322, clause (2) whereby the reasons for the termination of service were to be recorded and communicated to the employee was also not complied. At any rate para. 322 has no application because exception has been made in cases involving disciplinary action in the very first line, and the Bank's plea that Shri Chaturvedi has committed misconduct falls to the ground when he was discharged with the application of the provisions of para. 322. The Regional Labour Commissioner as borne out from Ex. K also drew attention of the Bank to this provision but the same fell on deaf ears. In the circumstances it seems clear to me that the Bank was actuated to work on the advice of the Treasurer only and did not take good care that the employee was an old one and the management had some responsibility to see that he did not become the object of the caprice and arbitrariness of the Treasurer in the matter of security of service. The stand taken up by the Bank as said above therefore appears to be a misconceived one, and must fail. Clause 5 of the agreement (Ex. 2) no doubt bespeaks that the Treasurer was responsible to the Bank for the work and conduct of every person so appointed or employed in the Cash Department and Shri Shukla laid great stress on this clause but this is subject to the terms given in para. 4 wherein it is stated that in the matter of appointment the approval of the Bank was necessary. EW-2 Ram Lal Gupta has also admitted in his deposition that in the matter of leave, promotion, provident fund, etc. the employees of the Cash Department are governed by the Bank rule. The Union representative also referred to various awards whereby the employees of the Cash Department especially the Cashiers have been treated as employees of the Bank; and to a decision of Labour Appellate Tribunal in the case between the United Commercial Bank Ltd. and certain employees (Labour Law Journal March 1952—pp. 383). In this decision of Labour Appellate Tribunal, it was held 'that the employees of Cash Department of a Bank are the employees of the Bank and are entitled to the same conditions of service as any other employee and that to discharge them, the same rules of framing a charge etc. should have been followed. That if the case for discharge has not been substantiated then the employees would be entitled to reinstatement and not to compensation only'. The dictum laid down in the above cited case accordingly covers both the points involved in the instant case, and in the light of these legal precedents I have no hesitation in holding that Shri B. N. Chaturvedi was an employee of the Bank for the purpose of service conditions and his discharge from service sheer on the asking of the Treasurer was not justified.

This brings me to the other part of the issue viz. 'whether he should be reinstated or to be suitably compensated'. Without entering into the evidence once again and in view of the finding given above that the charges levelled against him were not even regularly investigated by the Bank much less established against him through proper enquiry, the question of forfeiture of confidence as argued by Shri Shukla does not arise. The Treasurer Shri Monmohan Das on whose asking he was discharged has died and his son is working as the Treasurer. Shri Shukla states that for all practical purposes he is a successor to his father and the same Treasurer continues and as such it would not be proper to allow reinstatement under the same Treasurer. The argument does not appeal to me and is devoid of any merit for the simple reason that when a certain employee is victimized on account of the capricious decision of the Treasurer and the Bank remained only a spectator to carry out the behests of the Treasurer, then it would be stultifying oneself to fall in line with this kind of argument by disallowing the proper relief, viz. one of reinstatement. Shri Chaturvedi has deposed on oath that he is out of employment in these days for the last more than a year, which was not controverted by the Employers and in the circumstances I am of the opinion that reinstatement would be the proper relief and I hold accordingly.

In the result the complaint succeeds and the Bank is directed to take Shri B. N. Chaturvedi back in service the same post and also to pay him the back salary plus allowances permissible for a period of one year prior to the date of reinstatement at the rate of salary and allowances that he was drawing at the time of discharge. These directions shall be carried out within one month from the date when the award becomes operative. The Union urged for costs but in view of the Labour Appellate Tribunal decision in 'Certain Hotels, Madras vs. Their Workmen' (Labour Law Journal—December 1952—pp. 812) I see no justification for mulcting the other side with costs.

Now, THEREFORE, this Tribunal makes its Award in terms aforesaid this the 23rd day of December 1952.

K. S. CAMPBELL-PURI,
Chairman,
Central Government Industrial Tribunal,
Calcutta.

[No. LR-100(5).]

S.R.O. 148.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the award of Shri S. H. Naik, Member, Industrial Court, Bombay, in respect of the application under section 33-A of the said Act, against the Bombay Port Trust, Bombay, preferred by Shri Nanji Madha, an employee of the Bombay Port Trust

BEFORE SHRI S. H. NAIK, INDUSTRIAL TRIBUNAL, BOMBAY.
COMPLAINT (IT-CG) No. 4 OF 1952 IN REFERENCE (IT-CG) No. 2 OF 1952.
Shri Nanji Madha—*Complainant*

versus

The Bombay Port Trust, Bombay—*Opponent*.

IN THE MATTER OF A COMPLAINT UNDER SECTION 33-A OF THE INDUSTRIAL DISPUTES
ACT OF 1947.

*Appearances:—*Shri H. K. Sowani for the Complaint.

Shri S. D. Nariman for the Opponent.

AWARD

The complainant was serving as a sweeper under the Bombay Port Trust. He was served with a notice on the 27th May 1952 by the Chief Medical Officer of the Port Trust that his services would no longer be required on and from the 1st July 1952. At the date of the notice a dispute between the Bombay Port Trust and its employees (the Dock workers) was pending before Mr. S. P. Varma, the Central Government Industrial Tribunal at Dhanbad. The complainant therefore made a complaint to that Tribunal on the 13th June 1952 alleging that the termination of his services by the Port Trust without the permission of the Tribunal was illegal. He prayed for the immediate withdrawal of the notice, but the Central Government Tribunal passed no orders on the complainant and by an order dated the 23rd July 1952 the Central Government referred the aforesaid dispute between the Bombay Port Trust and the Dock workers to me under section 10(1)(c) of the Industrial Disputes Act for adjudication. The present complaint was made to me on the 10th October 1952.

2. The Port Trust contends in its written statement that the complainant's services were terminated as he was negligent in the performance of his duties and he was not found at the place of his duty when the Sanitary Inspector visited it on the 2nd April 1952 when he also found that the complainant had not cleaned the latrines and wash places which he was required to clean. When the Chief Medical Officer of the Port Trust visited the place on the 25th April 1952 to verify the report made against the complainant he also did not find the complainant at the place of his duty in the village Antop.

3. The Port Trust has raised a preliminary objection as to the jurisdiction of this Tribunal to entertain the complaint. It submits that I have no jurisdiction to entertain the complaint as the complainant was discharged before the reference of the dispute was made to me for adjudication by the Central Government.

4. The point of jurisdiction was therefore heard as a preliminary issue.

5. The order passed by the Central Government under section 10(1)(c) of the Industrial Disputes Act referring the dispute between the Bombay Port Trust and its employees (the Dock workers) to me for adjudication was in supersession of the order passed on the 17th June 1951 referring the same to the Industrial Tribunal at Dhanbad for adjudication. The reference to me is an *ad hoc* reference and I derive my authority to adjudicate upon the dispute in question from the order of reference to me dated the 23rd July 1952. I am not a successor Tribunal to the Central Government Industrial Tribunal at Dhanbad. The Central Government have not appointed me as a Tribunal under section 8(2) of the Industrial Disputes

Act and therefore the proceedings before me cannot be said to be in continuation of the proceedings before the Dhanbad Tribunal. The termination of the services of the complainant took place on the 1st July 1952 before the reference of the dispute to me and during its pendency before the Dhanbad Tribunal.

6. Section 33-A of the Industrial Disputes Act reads as follows:

"Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a Tribunal, any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to *such* Tribunal and on receipt of such complaint *that* Tribunal shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

It would follow from the words italicised by me above that as the complaint's discharge took place during the pendency of the dispute between the Bombay Port Trust and its employees (the Dock workers) before the Dhanbad Tribunal, and not before me, it was only that Tribunal that had jurisdiction to dispose of the complaint. I have no jurisdiction to entertain the present complaint in regard to the alleged wrongful termination of the complainant's services by the Port Trust before the reference of the dispute to me by the Central Government. It is by the statutory provisions of section 33-A that the Industrial Tribunal derives its jurisdiction to entertain complaints in regard to the contravention of the provisions of section 33 and I have shown under that section I get no jurisdiction to deal with and dispose of the present complaint. The complaint is therefore dismissed.

(Sd.) S. H. NAIK,
Industrial Tribunal.
(Sd.) K. R. WAZKAR,
Secretary.

BOMBAY;

The 24th December 1952.

[No. LR-2(305).]

New Delhi, the 12th January 1953

S.R.O. 149.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following awards of the Industrial Tribunal, Calcutta, in disputes between certain banking companies and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

20/1, Gurusaday Road, Ballygunge, Calcutta-19

BEFORE SHRI K. S. CAMPBELL-PURI, B.A., LL.B., CHAIRMAN.

REFERENCE No. 2 of 1952

Between

The United Commercial Bank Ltd.,

And

Their workmen.

(Re: Shri A. C. Kakkar of Agra Branch of the Bank)

APPEARANCES:

Shri A. C. Kakkar, General Secretary, assisted by Shri P. C. Jain, Secretary, Aligarh Unit, and Shri B. K. Porwal, Provincial Joint Secretary, Banaras, for the U.P. Bank Employees Union.

Shri R. V. Govindan, Law Officer, for the United Commercial Bank.

AWARD

By notification No. LR.100(7)/II, dated 3rd January 1952 the Government of India in the Ministry of Labour referred an industrial dispute existing between the

United Commercial Bank Ltd. and their workmen to this Tribunal for adjudication in respect of the matter specified in the schedule which reads as follows:

SCHEDULE

The payment of wages for the period of the strike from 23rd April to 30th April 1951 to Shri A. C. Kakkar a workman employed in the Agra Branch of the said Bank.

Usual notices were issued to the General Secretary, U.P. Bank Employees Union for filing the statement of claim in a month's time as well as to the employer Bank for filing written statement thereafter, and on the completion of pleadings the hearing came up at Allahabad in due course on 22nd December 1952. The General Secretary of the Union assisted by the Secretary, Aligarh Unit represented the Employee concerned and Shri R. V. Govindan, Law Officer of the United Commercial Bank Ltd., appeared for the Employers.

The case of the Union put in nutshell is that the Bank Employees of Uttar Pradesh State had been smarting under genuine grievances against several Banks including United Commercial Bank Ltd. on account of the victimization of employees in the form of transfer, closure of branches and by not implementing the award of the All India Industrial Tribunal (Bank Disputes) since long; and in order to give vent to their grievances they made demonstrations, held meetings but the Banks did not respond to the demands of the employees. It was further alleged that meanwhile the award of the All India Industrial Tribunal (Bank Disputes), Bombay was declared void on a technical ground by the Supreme Court whereby the Bank employees were deprived of the benefits which accrued to them by virtue of the aforesaid award; and that also aggravated the situation. Consequently the employees of various Banks working in the U.P. State decided to go on strike which actually commenced on 23rd April and continued until 30th April 1951. Regular strike notices had also been served on all the Banks including the United Commercial Bank, and the situation became so serious that the Central Government intervened and the Labour Minister was pleased to make an announcement in the Parliament that some legislation shall be sponsored whereby no reduction would be allowed in the pay scale and other disputes shall be referred to the Tribunal for adjudication or to Conciliation Board. The Regional Labour Commissioner actually approached the Union at Agra for the reconsideration of the strike situation. The Bank Employees Union thereupon called off the strike and issued instructions to all the employees to resume the duties. It however so transpired that the Banks did not see their way to pay the wages for the strike period to their employees, and the appropriate Government was accordingly moved, to call upon the Banks concerned to release the wages for the strike period. The result was that most of the Banks straightaway released the wages of all their employees but United Commercial Bank although released the wages of all their employees yet refused to do so in the case of Shri A. C. Kakkar. It was maintained that his is a clear case of discrimination.

Shri Govindan on behalf of the United Commercial Bank while explaining the position of the Bank denied the charge of non-implementation of the All India Industrial Tribunal award and submitted that the demands of the Union were not justifiable because a reference had already been made by the Government to Tribunal regarding the retrenchment, discharge or dismissal of the employees and proceedings were already pending. Reference was made in particular to the case of Shri A. C. Kakkar and it was averred that three applications relating to Shri Kakkar were pending before the Tribunal and were actually heard at Kanpur in between 17th April and 25th April 1951 and as such his participation in the strike during the pendency of his case was illegal and unjustifiable. In reply to the charge of discrimination the Bank representative urged that there was no discrimination made against Shri Kakkar because in the case of others the Bank thought it justifiable to release their wages.

The parties did not adduce any oral evidence either by coming into the witness box or by examining any witness. The Union relied upon some documents exhibited on the record P.E. A to Ex. D; and Shri Govindan on behalf of the Bank filed a copy of the award made by the Central Government Industrial Tribunal Calcutta in the case of Shri A. C. Kakkar (published in the Government of India Gazette of 15th September 1951 pp. 1484 para. 5) in support of the pleas.

Shri A. C. Kakkar argued his own case in capacity of General Secretary of the U.P. Bank Employees Union and made it clear at the very outset that he had no mind to enter into the question of legality or illegality of the strike because the United Commercial Bank had released the wages of all their employees excepting

Shri A. C. Kakkar and as such it was a case more of discrimination than of withholding the wages of the complainant on the basis of illegality of the strike. The statement made in this respect is reproduced for the proper understanding of the position taken up by the Union as below:

"I am not going into the question of the illegality of the strike because the Government has not referred this point nor it is material because the Bank has waived the right of this objection of illegality by releasing the wages to others who took part in the same strike and furthermore the cases of all others were also pending before the Tribunal and in their case payment of wages has been made."

On these premises it was argued that the United Commercial Bank was not justified in making an exception in the case of Shri A. C. Kakkar and in singling out one man the employer betrayed their anxiety to injure him out of vindictiveness which amounts to bad labour practice. In regard to the pendency of the proceedings before the Tribunal during the period of strike it was urged that the cases relating to Shri A. C. Kakkar were withdrawn by letter dated 17th November 1950 as borne out from the observation made in the award at page 1484 of the Gazette. It was maintained that in the circumstances no case was pending before the Tribunal, so far Shri Kakkar was concerned. Regarding the cases of other employees which were pending the Union representative contended that the very fact that the wages have been paid to them it was of no avail to refer to the pendency of proceedings. Reliance was placed on a decision of the Labour Appellate Tribunal given in the case of the 'Punjab National Bank Vs. 150 employees' (reported in Labour Law Journal—November 1952 page 468) and it was contended that in industrial law discrimination was repugnant to the maintenance of harmonious relations between labour and capital.

Shri Govindan in reply on behalf of the Bank mainly relied upon the award Ex. 1 and explained at length that no less than three cases relating to Shri Kakkar were pending during the course of strike before this Tribunal and it was wrong to say that those cases had been withdrawn. It was argued while referring to the facts given in the award (Ex. 1) that the application for the implementation of interim award related to a large number of employees including Shri Kakkar and the same was withdrawn at a certain stage but two other applications relating to the stoppage of increment and for the fixation of banking hours were also pending before the Tribunal in the name of Shri Kakkar. The argument was reinforced by referring to another factor namely that the application for withdrawal dated 17th November 1950 was not entertained by the Tribunal and came up for hearing actually in August 1951; when the cases emanating from U.P. were taken up at Kanpur and the order was passed on 10th August 1951 i.e., after the strike was over. It was concluded that cases in the name of Shri Kakkar were thus pending before the Tribunal in April 1951 when he went on strike and absented himself from duty and as such strike during the pendency of proceedings had become illegal as contemplated under section 23(b) and 24 of the Industrial Disputes Act, 1947. Reliance was placed on a decision of the Labour Appellate Tribunal given in the case of 'Mahaluxmi Cotton Mills' (reported in Labour Law Journal—November 1952 page 635). Reference was also made to some other authorities namely 'Collieries Mazdoor Congress case' (published in Labour Appeal Cases p. 219) as well as the case of 'Lord Krishna Sugar Mills' (Labour Law Journal—June 1952 page 803). Replying to the question of justification Shri Govindan maintained that in the light of the dictum laid down in 'Mahaluxmi Cotton Mills' case when once it is proved that the strike was illegal, then even if the strike was justified as a result of the provocation by the Employers the workers will not be entitled to any wages for the period of such a strike. Lastly on the question of discrimination although Shri Govindan at the time of stating his case said that the Bank thought it justifiable in the case of others to release their wages and thereby conveyed that it did not think it justifiable in the case of Shri Kakkar, yet in the course of arguments he submitted that other workers had entreated the Bank to pay the strike period wages and therefore the Bank paid the salaries of its employees for the strike period. Reference was made to paragraph 7 of the written statement. In view of the significance of the question involved a relevant extract from para. 7 of the written statement is reproduced as under:

"7. With reference to paragraphs 16, 17 and 18 of the Union Statement the Bank states that on subsequent enquiries it found that most of the employees resorted to strike because they were misguided by their leaders. The employers also entreated the Bank to pay the strike period wages and therefore the Bank paid the salaries of its employees during the strike period. It however, did not pay the salaries for the strike period of Shri A. C. Kakkar in the circumstances hereinafter mentioned."

Now the circumstances referred to in para. 7 are stated in paragraph 8 which read as follows:

"8. That at the time the strike was launched certain disputes between the Bank and the said Shri A. C. Kakkar were subsisting and they were pending before the Central Government Industrial Tribunal at Calcutta under Reference No. LR.2(273), dated 21st February 1950. An employee, under Section 23 sub-section (b) of the Industrial Disputes Act, 1947, pending the proceedings before a Tribunal, cannot go on strike and, if he does so, such strike is illegal as provided in Section 24 of the said Act. The strike, therefore, so far as Sri A. C. Kakkar was concerned, was wholly illegal and could not be justified on any ground whatsoever and the employee cannot claim his wages for the strike period on grounds alleged or at all. The Bank submits it was justified in not paying the salary of the employee during the strike period in the circumstances of the case and denies that there was any discrimination or unfair labour practice on its part as alleged or at all. Moreover, he is not entitled to salary and allowance for the period he absented himself without permission."

It will be seen that the whole position has been explained in the above quoted paragraph 8 of the written statement and Shri Govindan more or less amplified this view point in the course of his lengthy arguments and contended that the strike having contravened the provisions of section 23(b) of the Act was illegal and the character of its illegality could not be altered on the plea of justification as held in 'Mahaluxmi Cotton Mills' case.

Shri Kakkar on behalf of the Union in a further reply controverted the plea urged on behalf of the Bank and maintained that the same was untenable inasmuch as the illegality or justification for the strike was different from discrimination made in the matter of payment of wages for the strike period because the conduct of the employees for participation in the strike was condoned and waived so far all others were concerned and in the case of the complainant if it was not condoned it must be attributed to their vindictiveness which constitutes unfair labour practice. Reference was made to decision of the Labour Appellate Tribunal in the case of 'Punjab National Bank and their workmen' cited above, wherein it was held that in law there was nothing to prevent an employer from waiving the right that accrues to him on the participation by the workmen in an illegal strike; and that to hold otherwise would be to oblige an employer to dismiss a workman for such an act which is absurd. I need hardly say that I have read both the decisions of the Labour Appellate Tribunal namely in the matter of (1) 'Mahaluxmi Cotton Mills' and (2) 'The Punjab National Bank Ltd. and their workmen' with care and I think so far the legal aspect of the question involved is concerned my work has been made easy. The difficulty lies only in the application of one or the other dictum laid down in these two decisions.

Now in the case of Mahaluxmi Cotton Mills the learned Tribunal held—

"That where a strike was illegal by reason of section 22 of the Act then even if the strike was justified as a result of provocation by the Company the workers will not be entitled to any wages for the period of such a strike, since to allow such would be to set the criminal law and the civil law in conflict as the workmen who will be liable to punishment for the same conduct in criminal law would be required to be compensated under the Civil Law which would be anomalous."

While in the Punjab National Bank case while dealing with the question of strike and its illegality the factor of condonation and of waiver was also posed for discussion and the same Tribunal held—

"That in law, there was nothing to prevent an employer from waiving the right that accrues to him on the participation by the workmen in an illegal strike; to hold otherwise would be to oblige an employer to dismiss a workman for such an act; which is absurd."

"That waiver was an unilateral act on the part of the employer; and the undertaking given by the bank to Government, not to insist on its right to dismiss any workman was sufficient to support a case of waiver; that it was clear from the bank's circulars that its objections to reinstatement of 150 workmen was on grounds other than of the illegal strike that they had participated in; that it was, therefore, not open to the bank to plead the illegality of the strike in defence of the claim for reinstatement."

As I read the two decisions of the Labour Appellate Tribunal at the same time, it seems clear to me that both can be easily reconciled regard being had to the particular facts of each case. In point of fact Mahaluxmi Cotton Mills case was

decided earlier and has been referred to in the 'Punjab National Bank case at page 656 (para. 16)' and as such did not and could not escape the notice of the learned Tribunal while deciding the case of the Punjab National Bank. It was pertinently observed in the latter case 'that if the act of participation of a workman in such a strike gives employers certain rights against that workman which are not the creation of statute or based on public policy we do not see why the employer cannot waive those rights that is to any refrain from exercising those rights against the workman. For instance, the employer has the right to withhold the payment of wages of that workman for the period of his absence from work on account of illegal strike (Mahaluxmi Cotton Mills case, Labour Law Journal 1952) but he can certainly excuse the absence and pay him in full for the period of that absence. No breach of any rules of public policy would be involved thereby.' Furthermore on the perusal of the two decisions it appears that the question of condonation or waiver was not urged in the Mahaluxmi Cotton Mills case. Judged in this principle, I think I am justified in adopting the view taken in the Punjab National Bank case which is also a Bank case and was decided keeping in view Sections 23(2) and 24 of the Act relied upon in this case also unlike the Mahaluxmi Cotton Mills case in which the provisions of Section 22 of the Act were invoked. On merits moreover it is in evidence that after calling off the strike the Provincial Joint Secretary of the U.P. Bank Employees Union approached the General Managers of all the Banks concerned with a request to release the wages to pave way for healthy relations as borne out from (Ex. B) a letter dated 24th May 1951 and the Government of India also felt concerned in the interest of industrial peace by making efforts to persuade the Banks for the payment of wages as borne out from (Ex. D) a letter addressed to the Secretaries of various Employees Union under the signature of the Under Secretary to the Government of India. Now it is not disputed that all the Banks excepting one or two released the wages to their employees for the strike period and the United Commercial Bank also adopted the same policy and acted in the same strain but singled out Shri A. C. Kakkar as an exception to the general policy. It follows, accordingly, that the Bank must make out a clear case as to why they withheld the payment to one single employee. No evidence oral or documentary was led in this connection and as such there is no data on the record to accept reasons given in para. 7 of the written statement, which are more legalistic and did not prevail with the Bank in the case of other employees. Considering all these facts and circumstances I am of the opinion that it is a clear case of discrimination born of vindictiveness against the complainant. The reasons of this vindictiveness of course have not been explained although opportunity was given to both sides but circumstances speak sometime more than facts and in this case they speak eloquently, when one solitary man has been picked up out of the whole lot of employees in not releasing his wages for the strike period. This furnishes sufficient reason for holding that the payment was withheld *mala fide* on account of the trade union activities of Shri Kakkar. The Union has also claimed costs of Rs. 200 and it was vehemently urged that as the management unnecessarily created industrial dispute in pursuing a policy of discrimination in the case of Shri A. C. Kakkar although they had released the wages for the strike period to all other employees of the Bank it was a fit case for costs. Now the legal position in the matter of costs normally is that where the Court directs that any costs shall not follow the event the court shall state the reasons in writing as laid down in sub-section (2) of section 35 Civil Procedure Code. In this case I have no cogent reason to give as to why costs should not be allowed. But ordinarily costs are not given in labour disputes; and the Labour Appellate Tribunal in their decision in the matter of Certain Hotels and their workmen (Reported in Labour Law Journal—December 1952, p. 812) has also observed that it is unwise to give costs in industrial proceedings unless the conduct of either party has called for it. In the present case having regard to the circumstances detailed above and the finding arrived at viz. that discrimination was made *mala fide* I think the conduct of the Bank has called for it and the Union is entitled to some costs which I assess Rs. 50 payable by the Bank to the U.P. Bank Employees Union.

In the result the issue is decided in favour of the Employees Union and the Bank is directed to make payment of wages for the period of strike from 23rd to 30th April 1951 to Shri A. C. Kakkar, a workman employed in the Agra Branch of the said Bank. These directions shall be carried out within one month with effect from the date when the award becomes operative.

NOW, THEREFORE, THIS TRIBUNAL MAKES ITS AWARD IN TERMS AFORESAID THIS THE 29TH DAY OF DECEMBER 1952.

K. S. CAMPBELL-PURI, *Chairman*.
Central Government Industrial Tribunal,
Calcutta.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

20/1, Gurusaday Road, Ballygunge, Calcutta—19

BEFORE SHRI K. S. CAMPBELL-PURI, B.A., LL.B., *Chairman*

REFERENCE No. 3 of 1952

Between

- (1) The Allahabad Bank Ltd.,
- (2) The National Bank of India Ltd.,
- (3) The Bank of Bikaner Ltd.,
- (4) The Chartered Bank of India, Australia and China,
- (5) The Central Bank of India Ltd.

AND

Their workmen.

APPEARANCES: Shri A. C. Kakkar, General Secretary, assisted by Shri P. C. Jain, Secretary, Aligarh Unit and Shri B. K. Porwal, Provincial Joint Secretary, for the U. P. Bank Employees Union.

Shri N. B. Wadia, Chief Agent, Lucknow Group of Branches, for the Central Bank of India.

Shri Loknath Shukla, District Inspector, assisted by Shri Ram Lal Gupta, Assistant Agent, Aligarh Branch, for the Allahabad Bank Ltd.

AWARD

This is a Reference made by the Government of India in the Ministry of Labour to this Tribunal under Notification No. L.R.100(7)/J, dated 3rd January 1952 for adjudication upon an industrial dispute existing between the employers in relation to the banking companies specified in Schedule I and their workmen in respect of the matter specified in Schedule II. The aforesaid schedules read as follows:—

SCHEDULE I

- (1) Allahabad Bank, 6 Royal Exchange Place, Calcutta.
- (2) National Bank of India Ltd., 19 Netaji Subhas Road, Calcutta.
- (3) Bank of Bikaner Ltd., Ganga Niwas, Public Part, Bikaner.
- (4) Chartered Bank of India, Australia and China, 4 Netaji Subhas Road, Calcutta.
- (5) Central Bank of India Ltd., Esplanade Road, Fort, Bombay.

SCHEDULE II

Payment of wages for the period of the strike from the 23rd to 30th April 1951 to workmen of each of the banking companies specified in Schedule I in respect of their branches in the State of Uttar Pradesh.

Usual notices were sent to the parties concerned for filing written statements for and against and on the completion of pleadings the Reference came up for final hearing at Allahabad in due course on 24th December 1952. It may be stated at the outset that in the case of the National Bank of India Ltd., Bank of Bikaner Ltd., and Chartered Bank of India, Australia and China mentioned at Nos. (2), (3) and (4) respectively in Schedule I, the wages for the strike period were released to their employees by the said Banks and consequently no statement of claim was filed by U.P. Bank Employees Union against the aforesaid three Banks. It was still notified to them that in case they would like to appear before the Tribunal for making any statement for the purpose of ratification, they could do so. None however appeared and intimation was received that they had already released the wages for the strike period to their employees and as such no dispute existed between the aforesaid three Banks and their workmen. No dispute award is accordingly made in respect of the aforesaid three Banks.

Regarding Central Bank of India mentioned at No. 5 of Schedule I a statement of claim dated 29th February 1952 was preferred by the U.P. Bank Employees Union under the signature of the General Secretary of the said Union on behalf of the employees of the Central Bank. But in view of the fact that the Central Bank had released the wages of their employees working at Agra and Banaras (mentioned in Appendix No. A) the claim was confined to the employees of Dehradun Branch (mentioned in Appendix No. B) and the employees of Aligarh, Bareilly, Banaras, Chandausi, Moradabad, Shikohabad (mentioned in Appendices B and C). The Bank also filed their written statement dated 27th March 1952

and thereby initially opposed the claim. On the date of hearing however Shri N. B. Wadia, Chief Agent, Lucknow Group of Branches, Central Bank of India Ltd., and Shri A. C. Kakkar, General Secretary, U. P. Bank Employees Union stated that negotiations were afoot for amicable settlement on the issue referred to for adjudication and asked for some time. The case was accordingly adjourned to 26th December 1952. The parties on the next hearing filed an application dated 26th December 1952 under the signatures of the representatives of both sides whereby the Union agreed to withdraw their claim on the basis of an enclosure wherein a request was made to the Managing Director of the Central Bank of India Ltd. to release the wages of the employees from 23rd to 30th April 1950, known as strike period. The statements of Shri A. C. Kakkar, General Secretary, U. P. Bank Employees Union, as well as Shri N. B. Wadia, the Bank's representative were duly recorded for the purpose of ratification. The copies of these statements are appended with the award as Appendix No. 1 and in view of the statements and the formal request made by the application the claim for the release of wages for the strike period against Central Bank of India Ltd. shall be deemed to have been withdrawn and is awarded accordingly.

In the case of the Allahabad Bank Ltd., the only other Bank under reference mentioned at No. (1) of Schedule I; the case of the Union as disclosed from the statement made before the Tribunal by Shri A. C. Kakkar on behalf of the employees of Allahabad Bank in his capacity as General Secretary of the U. P. Bank Employees Union be shortly stated as follows—That Allahabad Bank Ltd., did not implement the final award of the All India Industrial Tribunal (Bank Disputes), Bombay, and had also terminated the services of some of the employees in some of the branches in Uttar Pradesh which caused discontent and disaffection amongst the employees; and meanwhile the award of the All India Industrial Tribunal (Bank Disputes) was declared void by the Supreme Court whereby the employees were deprived of the benefits which accrued to them under the award and this circumstance further aggravated the situation. The U.P. Bank Employees Union which is a unitary Union comprising of the employees of all Banks in Uttar Pradesh and dealing with Banking industry as one body, thereupon felt aggrieved of the attitude of Banks in not considering the demands of the employees and decided to call upon all their workmen to go on strike. A regular notice was served 22 days earlier to the actual strike which commenced on 23rd April and continued till 30th April 1951. That no less than 2,700 employees participated and the situation became so serious that the Central Government intervened and the Labour Minister was pleased to announce in the Parliament that the rights of the employees shall be protected. It was on this assurance as well as on the assurance of the Regional Labour Commissioner who advised the Union to call off the strike that the labour leaders directed all workmen to resume duties in their respective Banks by 1st May 1951. Subsequently most of the Banks released the wages for the strike period to their employees including Chartered Bank of India with which the Allahabad Bank is affiliated but the Allahabad Bank refused to do so. It was maintained that the Allahabad Bank was not justified in withholding the wages for the strike period more especially when others including Chartered Bank of India with which this Bank is affiliated had agreed to release the wages. It was specifically stated that Allahabad Bank has not raised the contention of the legality or the illegality of the strike and as such there was justification in the demand of the Union that the Bank should release the wages on the basis of making deduction from the leave period due to the employees and in case no leave was due, to take into account the leave accruing in the following year to the employees concerned. No oral evidence was led by examining any witness and the Union relied upon documentary evidence comprising over 9 documents exhibited on the record (Ex. A to Ex. K).

The hearing was adjourned to 26th December 1952 for the evidence of the other side and Shri Shukla on the next hearing filed an application asking for an amendment of his own pleadings by an addition of paragraph 12-A in the written statement of the Bank dated 2nd April 1952. Notice was given to the other side for reply to this application which was ultimately on hearing arguments disallowed by my detailed order dated 27-12-52, a copy of which is appended in Appendix (II).

The Bank's case was stated by Shri Shukla and is given in full as below:—

"The employees were quite aware and are aware that they launched a strike during the pendency of the proceedings before this Tribunal in respect of the Reference made under Government of India notification LR. 2(273), dated 21st February 1950. The demand No. 2 made in the notice of the Union dated 2-4-51 is clearly covered by item (1) of the Schedule 2, of the said notification, and the alleged

charge of stopping promotions and increments mentioned in paragraph 2 of the statement of claim dated 29-2-52 is also specifically covered by item (2) of the said schedule. The meetings for the purpose of the strike were called for an illegal purpose (and the strike was itself illegal). I submit that none of the demands were applicable in the case of Allahabad Bank as the Bank and implemented the provisions of awards. So far the justification for the payment of wages is concerned, the employees had no justification for asking the implementation of the award which had been declared void, because they deliberately indulged and as such it was unwarranted and unjustified. The question of payment therefore does not arise and falls within the mischief of section 25 of the Act. I shall support my pleas by documentary evidence as well as witnesses."

The Bank representative in support of the pleas and in rebuttal to the evidence of the Union examined two witnesses *viz.* Shri Kedar Nath Shukla, Agent, Allahabad Bank, City Branch, and Shri Ram Lal Gupta, Assistant Agent, Aligarh Branch as his witnesses and also produced documentary evidence which was exhibited on the record (Ex. 1 to Ex. 6). Both sides argued at considerable length.

Shri Kakkar arguing on behalf of the Union explained the position regarding the grievances of the Union and the non implementation of the award of the All India Industrial Tribunal (Bank Disputes) and referred to a circular issued under the signature of the General Manager of Allahabad Bank Ltd. dated 28th April 1951. He urged that the Bank was not responsive and only made certain payments provisionally and as such the grievances were not fully satisfied. Coming to the real issue *viz.* payment of wages for the strike period the Union representative relied upon a circular letter dated 24-5-51 (Ex.B) sent by the Provincial Joint Secretary of the Union to the General Managers of all Banks requesting for the release of the wages in order to promote healthy relations as well as a letter of the Under Secretary to the Government of India dated 1st September 1951 (Ex.C) and sought to argue that the Government also persuaded the Banks to release the wages. The other documentary evidence (Exs. D, E, F, G and H) are letters sent by various Banks to the Union informing the labour representatives that the wages for the strike period were paid to their respective employees. Ex.J is an extract from a paper wherein reference has been made to the payment of wages to the postal men for the strike period long after their strike. This was referred to as an instance at the time of argument and it was stressed that an employer can release the wages without going into the question of legality or illegality. In regard to the employees of Banaras Branch Shri Kakkar made special pleading by placing his reliance on a letter of District Magistrate dated 25th June 1951 (Ex. K) wherein it is stated that the District Magistrate had referred the matter to the Government against making a cut in the salary of the employees for the strike period although the Bank agreed earlier in making payment. On the strength of this documentary evidence the Union representative contended that sixteen offices of Allahabad Bank Ltd. as admitted by EW-2 Shri Gupta, were affected by the strike and this clearly indicates that 99 per cent. employees joined the strike; and it was wrong to say on the part of the Bank that the strike was partial. A reference was made to the U.P. Shops & Establishment Act and it was maintained that under the Rule 10(b) of the Act in the case of concerted action the employer was not justified in making any deduction from the salary more especially when no reason was assigned for non-payment of wages in their reply nor was notified on the notice board. It was next argued that notice of the strike was duly given and the same was called off on the intervention of the Government which clearly implies that the Government justified the strike and actually persuaded the Banks to release the wages as borne out by Ex. C. Shri Kakkar at the same time made it clear in the course of arguments that he did not press the question of legality of the strike because the same had already been dealt with by the Labour Appellate Tribunal in their decision made in the case of 'Punjab National Bank' and that the sole question was as to whether the Bank was justified in withholding the payment of wages to their employees when all other Banks have released the wages. It was stressed that Allahabad Bank is a subsidiary Bank to Chartered Bank and its conduct is wholly unreasonable in not falling in line with Chartered Bank. Shri Kakkar finally submitted that in this case the Union was prepared to modify their demand in the manner that the payment of wages for the strike period be released as against the period of earned leave due to the employee concerned and in case the earned leave does not fall due the same may be accounted for in the coming year. It was concluded that as the employees of the Bank in this manner will be affected so far their leave is concerned it would amount to some sort of punishment. Reliance was mainly placed on the decision of Labour Appellate Tribunal in the case of Punjab National Bank (Labour Law Journal November 1952 p.648).

Shri Shukla in reply equally contended vehemently that the strike notice was not necessary because the strike in its inception was illegal having been launched during the pendency of the proceedings before the Tribunal to which the U.P. Bank Employees Union was a party. It was denied that the strike affected all offices of Allahabad Bank in U.P. but at the same time pleaded his inability to give the exact figures. Replying to the arguments of the Union representative Shri Shukla contended that it was not incumbent upon the Bank to give reasons for withholding the payment of strike wages because the same were apparent and so far the provisions of the U.P. Shops and Establishment Act are concerned these do not apply. In regard to the alleged agreement referred to in District Magistrate's letter (Ex. K) it was argued that the Agent at Banaras Branch had no authority to do so and it was only the head office which was competent to say anything in the matter of policy. Lastly, replying to the modified position taken up by the Union representative namely, deduction of leave period in lieu of wages for the strike period, Shri Shukla firmly contended that a question of principle was involved and the Bank was not prepared to compromise their position as it would create a precedent harmful to the industry as a whole. It was emphasised that the modification of relief in the manner that the relief be set off against earned leave goes to show that the Union has realised the hollowness of their claim. Shri Shukla argued in the similar strain about the Government's intervention also and submitted that it was only an advice and could not take the shape of coercion. Reliance was placed upon the Pioneer Match Factory case (reported in Labour Law Journal 1951 p. 43) and the decision in 'Mahaluxmi Cotton Mills Case' (Labour Law Journal—November 1952—p. 635).

Now the first legal precedent viz. Pioneer Match Factory case, deals with the wages of lockout wherein the Tribunal held that the workers would not be entitled to wages for this period since it cannot be said that the strikes are justifiable after the passing of the Industrial Disputes Act which provides an elaborate machinery for the settlement of disputes. The dictum laid down in this case appears to me much too wide and in view of the latest decisions of the Labour Appellate Tribunal wherein the whole question has been gone into elaborately I have no mind to take note of it. The position is fully crystalized with regard to the payment of wages by the decisions of the Labour Appellate Tribunal in 'Mahaluxmi Cotton Mills case' and that of the 'Punjab National Bank case' (both published in Labour Law Journal—November 1952) and the same is summed up in the following words by the learned Tribunal in the case of 'Punjab National Bank' which was decided subsequent to the decision given in 'the Mahaluxmi Cotton Mills case.'

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- "16. The prohibitions of strikes in circumstances mentioned in sections 22 and 23 of the Act is based on public policy. Strikes commenced or continued in contravention of either of these two sections have been made illegal and punishable under the Act, subject to the safeguard that a prosecution cannot be started save and except on a complaint made by or under the authority of the appropriate Government. It is quite true that such being the case, participation by a workman in an illegal strike cannot be condoned by an employer so as to make legal what has been made illegal by statute. The only consequence, therefore, is that condonation by the employer would be no defence to a prosecution if started by or with the authority of Government, notwithstanding such condonation. But if the act of participation of a workman in such a strike gives employer certain rights against that workman which are not the creation of statute and/or based on public policy, we do not see why the employer cannot waive those rights, that is to say refrain from exercising rights against the workman. For instance, the employer has the right to withhold payment of wages of that workman for the period of his absence from work on account of the illegal strike (Mahaluxmi Cotton Mill's case, 1952—L.A.C. p. 370), but he can certainly excuse the absence and pay him in full for the period of that absence. No breach of any rules of public policy would be involved thereby. Similarly, if absence due to participation in an illegal strike confers a right on the employer under the general law to dismiss the workman, he is certainly entitled to retain him in service, notwithstanding this absence due to such participation. If that be so, we do not see why the rule of waiver should not apply. To hold otherwise would be tantamount to placing the employer under an obligation—dismiss he must a workman whose absence is due to participation in an illegal strike. That, in our opinion, would be an absurd position to take. The question of fact, therefore, is the only point to be considered on this part of the case."

I have furthermore discussed this question in the award given the other day in Reference No. 2 of 1952 in the case of 'the United Commercial Bank Vs. Their workmen' wherein it is held that notwithstanding of the illegality of the strike the employer can excuse the absence of their employees and payment of wages does not amount to any breach of rules or public policy, if they do so in the interest of industrial peace and promotion of harmonious relation. This is correct that the Allahabad Bank unlike others has been firm in not releasing wages to any of the employees and has made it a point of principle. The question arises whether this adamant attitude is salutary and would promote industrial peace or is likely to undermine the harmonious relations which are so very essential not only in the interest of labour but that of capital. While appreciating the stand taken up on a principle which has its good aspect I have not been able to appreciate the position of the Bank when the modification of the relief viz. payment of wages as against leave period was replied with a retort that the modification was indicative of the fact that the Union realized the hollowness of the demand and it would make a bad precedent if payment of wages is made. It appears that the Allahabad Bank has failed to see the view point of about a dozen other Banks who have released the wages for the strike period to their employees and wants to plough a lonely furrow. The question for an adjudicator is whether they should be allowed to do so and on anxious and careful consideration I have come to the conclusion that they are not justified in creating a precedent of discrimination in Banking industry, more especially when they have nothing to lose and the payment of wages as urged on behalf of the Union against earned leave is asked for. I need hardly add that the one fundamental concept of the Industrial Disputes Act is to promote harmonious relations between the employers and employees and although illegal acts should not be by-passed without punishment but these again are to be adjudged in view of the circumstances which brought about the strike. The one circumstance that Government felt the necessity of making reference to the strike and brought about peace and subsequently persuaded the Banks to release the wages as borne out from the evidence is sufficient to conclude that this type of discrimination in the Banking industry as Allahabad Bank Ltd. seeks to create by their attitude is not conducive to industrial harmony and is likely to foster discontent amongst their own employees by withholding of wages for the strike period in contrast to co-workers employed in other Banks. For all these reasons I am of the opinion that the claim should be allowed, of course in the modified form as explained above.

In the result the Allahabad Bank is directed to make payment of the wages for the strike period i.e. from 23rd April to 26th April 1951 to all their employees in all the branches a list of which is appended with the award in Appendix III (as copied from Appendix D enclosed with the statement of claim filed by the U.P. Bank Employees Union). This payment shall be made against the earned leave which is due to each employee and in case of any one where it is not due against the leave which accrues to him in the following year. The direction shall be carried out within one month from the date when the award becomes operative.

NOW, THEREFORE, THIS TRIBUNAL MAKES ITS AWARD IN TERMS AFORESAID THIS THE 2nd DAY OF JANUARY 1953.

K. S. CAMPBELL-PURI, *Chairman,*

Central Government Industrial Tribunal,
Calcutta.

APPENDIX I

Statement of Shri A. C. Kakkar, General Secretary, U.P. Bank Employees Union on behalf of the Union and the applicants.

States that the application Ex.1 dated to-day the 26th and the enclosure a written request made to the Managing Director are both signed by me on behalf of the applicants and the Union to whom the claim was filed. I agree to the terms embodied in the application and the Union shall abide by that. The claim may therefore be allowed to be withdrawn.

(Sd.) A. C. KAKKAR, *G. Secretary.*

The 26th December, 1952.

(Sd.) K. S. CAMPBELL-PURI.

Statement of Shri N. B. Wadia, Bank representative.

The application Ex. 1 and the written request addressed to the Managing Director enclosed thereof of to-day's date are both signed by me on behalf of

the Bank. I am authorised to act on behalf of the Bank and agree to the terms embodied in the application. I further state that the Bank shall abide to the terms recorded.

The 26th December, 1952.

(Sd.) N. B. WADIA, Chief Agent,
The Central Bank of India Ltd.,
Lucknow Group

(Sd.) K. S. CAMPBELL-PURI.

APPENDIX (II)

In the matter of an application of the Allahabad Bank Ltd. dated 26th December, 1952 for the amendment of the pleadings in Reference No. 3 of 1952 by addition of paragraph marked 12-A in the written statement of the Bank.

ORDER

Shri Loknath Shukla, District Inspector, Allahabad Bank Ltd., has preferred an application for amendment of his own pleadings by the addition of a new paragraph marked 12-A in the application. Shri A. C. Kakkar, General Secretary, U.P. Bank Employees Union, in his statement of case recorded on 24th December 1952 stated that the Bank had not raised any question about the legality or the illegality of the strike in their written statement and as such there was justification in the Union's demand that the Bank should release the wages on the basis of making deduction from the leave period due to the employees. The application for amendment of pleadings was made on the 26th to meet the aforesaid contention of the Union after the close of Union's evidence. Shri Shukla furthermore stated in paragraph 1 of the application that the Bank has clearly raised the plea of strike being totally unjustified and unwarranted and according to its intention the legality of the strike was implied in the expression. The reason assigned for the addition of a new paragraph as stated in paragraph 2 of the application was to the effect 'that to avoid any technical objection by the other side that the defence of illegality had not been specifically raised in the Bank's reply dated 2nd April 1952, it was prayed that another paragraph may be directed to be added in the original reply as paragraph 12-A.

Notice was given to the other side for reply and Shri Kakkar on behalf of the Union opposed the application on more than one grounds. It was urged that the application moved by the Bank was a belated one as the question of illegality was not raised when the notice for strike was given long ago in April 1951. It was also contended that the Industrial Disputes Act or Rules thereof do not allow the parties to protract litigation by any such means more especially when the Bank had not given any reason at the time of deducting the wages on the point of legality or illegality nor at the time of filing written statement dated 2nd April 1952. In the penultimate paragraph of written reply it was further contended by the Union representative 'that the amendment asked for was beyond the ambit of dispute which the Tribunal has to adjudicate upon.'

Both sides addressed arguments at some length for and against and on the appreciation of the same I should say at the outset that no case has been made out for amendment of pleadings at this late stage. The principles underlying the amendment of pleadings are embodied in Order VI Rule 17 of the Civil Procedure Code and although court can allow either party to alter or amend his proceedings at any stage of the proceedings; yet this discretionary power is to be used judicially on a consideration of the special circumstances. In the instant case the Employees Union in their statement of claim did not use the word 'legality or illegality' anywhere in the claim which has been based on the plea that the strike was justified and warranted by the circumstances which have been explained in the statement and that this Bank was not justified in withholding payment of wages when most of the Banks had released the wages for the strike period. Paragraph 17 of the statement of claim specifically deals with this position taken up by the Union, and it bespeaks that the action of the management of Allahabad Bank Ltd. in not paying to any employee is most unjust, illegal and discriminatory and it is therefore prayed that the Tribunal be pleased to direct the Bank to release the strike wages to all the employees so that the industrial harmony may be maintained and the employees may not suffer for such a big amount in these hard days.'

Paragraph 10 deals with the strike itself which reads as follows:

"10. That the strike continued from the 23rd April upto 30th April, and it may be mentioned here that neither before nor in the continuance of the strike the Bank managements including these two (Allahabad Bank and Central Bank) tried to have any conciliation and even did not send us any such communication on this matter."

Now the Allahabad Bank in their written statement of 2nd April 1952 replied para-wise to all the allegations or averments made in the claim but did not say anything in reply to paragraph 17 of the statement of claim. In paragraph 13 of the written statement, it was said at page 4 that the Bank denied the allegations contained in paragraph 16 of the Union's statement and put the Union to strict proof thereof. The next paragraph namely, 14 begins with the words "with reference to paragraph 18 of the Union's statement, the Bank submits.....". The Bank obviously did not give any specific reply to paragraph 17 and throughout their written statement comprising over 4 pages the words 'illegality or legality' were nowhere mentioned. It is a different matter that the legality of the strike may be germane to the question involved regarding the payment of wages for the strike period; but when the Union in their claim did not refer specifically to that aspect of the question on reasons known to them and furthermore the Bank also did not specifically refer to the illegality of the strike in their written statement it seems clear to me that at the close of the evidence the Bank was not entitled to the addition of a new plea which would naturally require a rejoinder from the Union side and fresh evidence for and against on the plea now raised. The Tribunals working under the Industrial Disputes Act, moreover, are not exactly governed by the Civil Procedure Code and even regard being had to the principles of Civil Law I think it would change the character of the case as laid down if addition be allowed at this stage. In this respect it is also noteworthy that in the issue itself referred to for adjudication the words 'legality or illegality' of the strike are not mentioned and the issue deals only with payment of wages for the period of strike from 23rd to 30th April 1951. The parties also before the commencement of the proceedings or earlier while filing their pleadings did not take exception to the wording of the issue and I do not think it would be advisable for the Tribunal to frame a new issue at this stage by adding certain words in the issue referred to for adjudication. Shri Shukla urged mainly that the intention of the Employer Bank was one of the illegality of the strike when they stated that it was unjustified and unwarranted, and furthermore that amendment of pleadings is a question of law arising from the facts already given in written statement of the Bank and the evidence already recorded and as such it can be raised at any stage. The position however in law is that amendment of pleadings pre-supposes some addition or alteration in the facts constituting the pleadings and cannot be treated an abstract question of law. In the circumstances there is no substance in the argument and it appears that the Bank representative is not clear in his mind as to what he wants in the matter of amendment when he does not require any more facts to add or evidence to produce which have already concluded. The amendment of pleadings to my mind cannot be made sheer for the expression of intention which must be gathered from the pleas already advanced and as such it is left to both sides to build their arguments in the matter of legality or justification of strike on the facts and evidence brought on the record. In the result the application fails and is disallowed. The arguments in the case shall proceed.

CAMP: ALLAHABAD;

The 27th December, 1952.

(Sd.) K. S. CAMPBELL-PURI, *Chairman,*
Central Government Industrial Tribunal, Calcutta.

APPENDIX III APPENDIX No. D.

Names of the employees of the Allahabad Bank Ltd. who have not been paid the strike wages.

AGRA.

1. Shri Harcharanlal.
2. Shri Gokaran Nath.
3. Shri Om Perakash Sharma
4. Shri Ram Gopal Sharma.
5. Shri Kanhyalal Verma.

6. Shri Darbar Saran Kapoor.
7. Shri Shyamnarain Tandon.
8. Shri Prem Narsin Mehrotra.
9. Shri Sukh Dayal Khanna.
10. Shri Raj Narayan Tandon.
11. Shri Vishwa Nath Mehrotra.
12. Shri Moolchand Garg.

13. Shri G. D. Bhardwaj.
14. Shri Vishwanath Jetli.
15. Shri Radheyshyam Sharma.
16. Shri Mahabir Pershad.
17. Shri Durga Pershad.
18. Shri Ram Pertap.
19. Shri Kanhya Lal.
20. Shri Babu Lal.
21. Shri Daya Shankar.
22. Shri Brij Beharilal.
23. Shri Sital Pershad.
24. Shri Jaturi Pershad.
25. Shri Lakhan Singh.
26. Shri Deep Singh.
27. Shri Ram Krishan, Sweeper.
28. Shri S. N. Saraswat.
29. Shri O. N. Jain.
30. Shri J. V. Kulsherashta.
31. Shri R. B. L. Sharma.
32. Shri J. N. Kapoor.
33. Shri R. N. Mehrotra.
34. Shri P. C. Palliwai.
35. Shri B. D. Saraswat.
36. Shri M. C. Kakar.
37. Shri K. K. Baijal.
38. Shri B. N. Jethi.
39. Shri K. L. Kapoor.
40. Shri J. N. Tandon.
41. Shri Gaya Karan.
42. Shri Munshi Lal.
43. Shri Ram Khilwan.
44. Shri Jagdish Pershad.
45. Shri Shyam Narayan.
46. Shri Nathilal.
47. Shri Rang Bahadur Rana.
48. Shri Jhingri Singh.
75. Shri Thakur Pershad Kapoor.
76. Shri Chanderwan Pershad.
77. Shri Kalka Pershad Trikha.
78. Shri Thakur Pershad Khanna.
79. Shri Jagdish Singh.
80. Shri Ram Krishan Pershad.
81. Shri Brij Nath Lal.
82. Shri Mukand Lal.
83. Shri Aniruddhlal Nigam.
84. Shri Dinnath Rai.
85. Shri D. P. Mehrotra.
86. Shri Jag Mohan Mehra.
87. Shri Som Nath Tripathi.
88. Shri Benarsi Pande.
89. Shri Brij Bhushan Tewari.
90. Shri Jagdish Narayan Mehrotra.
91. Shri Shiva Narresh Singh.
92. Shri Rama Pande.
93. Shri Girija Pershad.
94. Shri Manna Ram Verma.
95. Shri Shamnarain Pathak.
96. Shri Ram Khilwan.
97. Shri Basudeo.
98. Shri Chittar Dhari Singh.
99. Shri Ravi Shankar Choubey.
100. Shri Shiv Bachan Tewari.
101. Shri Man Raj Rom.
102. Shri Avadh Nath Tripathi.
103. Shri Bhola Nath Pande.
104. Shri Tikku Tewari.
105. Shri Sham Nand Mishra.
106. Shri Har Karan Ram.
107. Shri Baij Nath.
108. Shri Debi.
109. Shri Satya Narain Singh.
110. Shri Gupteshwar Tewari.

ALIGARH.

49. Shri S. N. Khanna.
50. Shri P. C. Mahesh.
51. Shri P. P. Arora.
52. Shri D. C. Gupta.
53. Shri V. M. Seth.
54. Shri V. N. Mehrotra.
55. Shri Banwarilal.
56. Shri J. P. Gupta.
57. Shri R. D. Saraswat.
58. Shri H. D. Sharma.
59. Shri K. S. Goyal.
60. Shri Sadanlal Kapoor.
61. Shri R. P. Kapoor.
62. Shri Babu Singh.
63. Shri Moolchand.
64. Shri Ramlal.
65. Shri Nane.
66. Shri Chidda.
67. Shri Gaya Pershad.
68. Shri Harbanslal Pande.

BANARES.

69. Shri Radhe Sham Kapoor.
70. Shri Bameshwar Mehta.
71. Shri Balni Madho Agarwal.
72. Shri Radhe Lal Kapoor.
73. Shri Shilandera Nath Tandon.
74. Shri Bindeshwari Pershad Tandon.

BAREILLY.

111. Shri Amarnath Tandon.
112. Shri Kalicharan.
113. Shri Joti Pershad.
114. Shri Ram Kumar Tandon.
115. Shri Ram Swarup Sherma.
116. Shri Ram Perakash Khanna.
117. Shri Ganesh Pershad Tandon.
118. Shri Bankey Behari Lal.
119. Shri Rai Bahadur Saxena.
120. Shri Har Nandan Pershad Mishra.
121. Shri Nand Kishore Sharma.
122. Shri Ram Shanker Pandey.
123. Shri Kedar Nath Tandon.
124. Shri Ghan Shyam Verma.
125. Shri Bishambhar Nath.
126. Shri Jagdish Saran Sharma.
127. Shri Ram Gopal Singhal.
128. Shri Puttan Lal.
129. Shri Beni Pershad.
130. Shri Ram Pal.
131. Shri Kedar Nath.
132. Shri Ram Pershad No. 1.
133. Shri Ram Pershad No. 2.
134. Shri Chunni.
135. Shri Het Ram.
136. Shri Radheyshyam Verma.
137. Shri Kailash Narain.
138. Shri Suraj Pal Gupta.
139. Shri Ram Rattan Tandon.

140. Shri Shiv Nandan Mehra.
141. Shri A. P. Tewari.
142. Shri Sakhat Narain Tandon.
143. Shri Govind Ram.
144. Shri Mahabir Pershad.
145. Shri Satya Deo.
146. Shri Hari Shanker.
147. Shri Pyarelal.
148. Shri Mohanlal.
149. Shri Tularam.
150. Shri Khanjan.

BINDKI.

151. Shri Roopkishan Tandon.
152. Shri Girja Shanker Nigam.
153. Shri Chander Shekher Mishra.
154. Shri Kailash Nath Tandon.
155. Shri Ujagar Singh.
156. Shri Sirraj Pershad Bajpai.
157. Shri Ganga Nath Mishra.

CHIANDAUSI.

158. Shri Beni Madho Khanna.
159. Shri Kishanlal Agarwal.
160. Shri Balbir Pershad Johri.
161. Shri Ram Murti Rathor.
162. Shri Amir Chand Singhal.
163. Shri Ram Kishore Dube.
164. Shri Kashi Pershad Tewari.
165. Shri Rameshwar Pershad.
166. Shri Bhagwan Singh.
167. Shri Ram Bharosey.
168. Shri Bankeylal.
169. Shri Shamboo Nath.

DEHRADUN.

170. Shri Dharamraj Mehrotra.
171. Shri Nathindera Pershad Gaur.
172. Shri Rameshwar Pershad Gupta.
173. Shri Sadanand Sharma.
174. Shri Narain Das Khandelwal.
175. Shri Jugminder Lal Jain.
176. Shri Satya Pal Nanda.
177. Shri Naresh Chander Sharma.
178. Shri Nemi Das Goyal.
179. Shri Bishan Swarup Gupta.
180. Shri Rameshchand Tyagi.
181. Shri Ram Otari Gupta.
182. Shri Schitta Nand Sharma.
183. Shri Bhagchand Sharma.
184. Shri Om Perkash Chopra.
185. Shri Daya Nand Sharma.
186. Shri Mukand Lal Kakar.
187. Shri Kishorelal Shukla.
188. Shri Shiv Shanker Sharma.
189. Shri Surendra Narain Sharma.
190. Shri Radhe Shyam Tandon.
191. Shri Rabi Lal Thapa.
192. Shri Tugeshwar.
193. Shri Baswanand.
194. Shri Madhwanand.
195. Shri Naro'tam.
196. Shri Mohand Singh.

HATHRAS.

197. Shri Ishwardayal Gaur.
198. Shri Jai Narain Sharma.

199. Shri Ramji Lal Sharma.
200. Shri Ram Babu Upadhyaya.
201. Shri Suraj Behari Mehrotra.
202. Shri Lakshmichand Agarwal.
203. Shri Krishna Narain Agarwal.
204. Shri Ram Gopal.
205. Shri Bhola Shanker.
206. Shri P. C. Mahesh.

KANPUR.

207. Shri Mool Narain Tandon.
208. Shri Hari Kishan Kalia.
209. Shri Chhedda Lal Shukla.
210. Shri Nautam Das Dhavan.
211. Shri Shyam Sunder Trivedi.
212. Shri Kailash Narain Mehrotra.
213. Shri Chander Kishan Gupta.
214. Shri Kanwal Singh.
215. Shri Ramendera Kumar.
216. Shri Jai Narain Bajpai.
217. Shri Purshottamchand Bajpai.
218. Shri Laxmi Perkash Mehrotra.
219. Shri Shiv Sunder Tewari.
220. Shri Rama Kant Mishra.
221. Shri Kishan Bahadur Saxena.
222. Shri Bhopendera Natha Tandon.
223. Shri Amar Nath Tandon.
224. Shri Jag Deo Pershad Agarwal.
225. Shri Laxman Pershad Avasthi.
226. Shri Kishanlal Tandon.
227. Shri Ram Pershad.
228. Shri Choteylal.
229. Shri Ram Shanker Singh.
230. Shri Ram Shanker Shukla.
231. Shri Suraj Bux Asthana.
232. Shri Gupteshwar Singh.
233. Shri Inderjit Sharma.
234. Shri Jagdish Narain Sharma.
235. Shri Shiv Kumar Mishra.
236. Shri Ram Nath Seth.
237. Shri Raj Mohan Kapoor.
238. Shri Shiv Bhan Narain Pande.
239. Shri Ramlal Anand.
240. Shri Shyam Narain Tandon.
241. Shri Ram Kant Tandon.
242. Shri Bipra Das Banerjee.
243. Shri Madan Gopal Vyas.
244. Shri Gopal Das Khanna.
245. Shri Raj Narain Arora.
246. Shri Krishan Gopal Tripathi.
247. Shri Shiv Nath Arla.
248. Shri Anil Kumar Saxena.
249. Shri Bhagwan Perkash Saxena.
250. Shri Ramesh Chander Agarwal.
251. Shri Ravinder Perkash Dixit.
252. Shri Shri Nath Tandon.
253. Shri Sudama Jit Mehrotra.
254. Shri Vijay Shanker Mehrotra.
255. Shri Hari Nath Kapoor.
256. Shri Dhanni Ram.
257. Shri Brij Mohan Sharma.
258. Shri Shiv Bahadur.
259. Shri Ram Narain.
260. Shri Raj Narain Dube.
261. Shri Babulal.
262. Shri Ram Ratan.

MATHURA.

- 263. Shri Mannalal Mishra.
- 264. Shri V. R. Nagar.
- 265. Shri B. L. Khanna.
- 266. Shri G. D. Mehrotra.
- 267. Shri Shri Kishan Khanna.
- 268. Shri Som Nath Nagar.
- 269. Shri Shiv Murti.
- 270. Shri Jaswant Singh.
- 271. Shri Govind Ram.
- 272. Shri Hari Narain.
- 273. Shri Bhagwan Singh.
- 274. Shri Jugal Kishore.

MORADABAD.

- 275. Shri Sham Nandan Khanna.
- 276. Shri Brij Beharilal Sharma.
- 277. Shri Maharaj Narain Tandon.
- 278. Shri Tikka Ram Saxena.
- 279. Shri Devi Saran Tandon.
- 280. Shri Ram Chander Gupta.
- 281. Shri Janardan Dev.
- 282. Shri Mahadeo Pershad.
- 283. Shri Ram Narain.
- 284. Shri Budha Ram.
- 285. Shri Kashi Ram.
- 286. Shri Daulat Ram.
- 287. Shri Dhannu.
- 288. Shri Chhotey.
- 289. Shri Munnilal Sharma.
- 290. Shri Prem Narain Sharma.
- 291. Shri Shankerlal Tandon.
- 292. Shri Ram Pervesh Singh.
- 293. Shri Dau Dayal Sharma.
- 294. Shri Lok Narain Devedi.
- 295. Shri Gauri Shanker Gupta.
- 296. Shri Bal Kishan Tandon.
- 297. Shri Jai Gopal Tandon.
- 298. Shri Ram Narain.
- 299. Shri Ram Das.
- 300. Shri Shiv Kumar Singh.
- 301. Shri Ram Chander Mishra.
- 302. Shri Kanhya.

MEERUT.

- 303. Shri Sharda Pershad Pathak.
- 304. Shri Kishan Swarup Tandon.
- 305. Shri Hari Shankar Gupta.
- 306. Shri Ayditra Nand Sharma.
- 307. Shri Rameshwar Dayal Sharma.
- 308. Shri Radhe Sham Sharma.
- 309. Shri Om Perkash Sharma.
- 310. Shri Girdhar Gopal Tandon.
- 311. Shri Ramesh Chand Tikkha.
- 312. Shri Raja Ram Khanna.
- 313. Shri Kailash Nath Kapoor.
- 314. Shri Badri Pershad Tewari.
- 315. Shri Ram Chandra Daffri.
- 316. Shri Ram Gulam.

- 317. Shri Rama Kant.
- 318. Shri Manohar.
- 319. Shri Harish Chandra.
- 320. Shri Brij Mohan.
- 321. Shri Sohan Lal.
- 322. Shri Cheddi.
- 323. Shri Ram Chandra.
- 324. Shri Kallu, Mali.
- 325. Shri Hans Raj.
- 326. Shri Parma Nand.
- 327. Shri Karam Illahi.
- 328. Shri Ramcharan.

SHAJAHANPUR.

- 329. Shri Purshottam Rao.
- 330. Shri Govind Pershad Mahindera.
- 331. Shri Vishwa Nath Tondon.
- 332. Shri Perkash Narain Tandon.
- 333. Shri Amar Nath Tandon.
- 334. Shri Ram Chand Maheshwari.
- 335. Shri Kedar Nath Sharma.
- 336. Shri Banke Behari Sharma.
- 337. Shri Shamboo Dayal Bajpai.
- 338. Shri Ganesh Das Khanna.
- 339. Shri Har Pershad Mehra.
- 340. Shri Sham Nath Mehrotra.
- 341. Shri Laxmi Bhushan Shukla.
- 342. Shri Jai Mangal Pershad Pande.
- 343. Shri Chinta.
- 344. Shri Balwant.
- 345. Shri Murlil Dhar.
- 346. Shri Amar Bahadur Singh.
- 347. Shri Chhotey.
- 348. Shri Shamlal.
- 349. Shri Ram Chandra.
- 350. Shri Munshi.
- 351. Shri Itwari.
- 352. Shri Mekku.
- 353. Shri Musamat Lalita, Sweepers

SITAPUR.

- 354. Shri Nand Lal Bajpai.
- 355. Shri Harnam Sunder Asthana.
- 356. Shri Ram Nath Dhavan.
- 357. Shri Govind Pershad Kapoor.
- 358. Shri Mahinder Partap Sharma.
- 359. Shri Bhagwati Pershad Malviya
- 360. Shri Ganga Sahai Kapoor.
- 361. Shri Parmeshwari Din.
- 362. Shri Sham Lal.
- 363. Shri Din Dayal.
- 364. Shri Jai Deo Pershad.
- 365. Shri Pancham Lal.
- 366. Shri Gajadhar.
- 367. Shri Kalka.
- 368. Shri Santlat.
- 369. Shri Mangal.

Certified copy.

(Sd.) A. C. Kakar, *General Secretary.*

[No. LR-100(7).]

P. S. EASWARAN, *Under Secy.*

New Delhi, the 12th January 1953

S.R.O. 150.—WHEREAS the Central Government is of the opinion that Shri Rajani Mukerjee, a representative of the employees in the Medical Benefit Council has ceased to represent such employees;

Now, THEREFORE, in exercise of the powers conferred by sub-section (2) of section 12 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Gov-

ernment hereby declares that the said Mr. Rajani Mukerjee shall cease to be a member of the Medical Benefit Council with effect from the date of publication of this notification.

[No. SS.121(49)A.]

S.R.O. 151.—In exercise of the powers conferred by section 10 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby nominates Shri Vimal Mehrotra, 108/18, A.P. Road, Gandhi Nagar, Kanpur, as a member of the Medical Benefit Council to represent the employees *vice* Shri Rajani Mukerjee.

[No. SS.121(49)B.]

New Delhi, the 13th January 1953

S.R.O. 152.—In pursuance of paragraph 3 of the Employees' Provident Funds Scheme, 1952, published with the notification of the Government of India in the Ministry of Labour No. PF-501(5), dated, the 2nd September, 1952, the Central Government hereby specifies the Government of Bihar as a Government which is entitled to nominate a member on the Central Board of Trustees and directs that in the notification of the Government of India, in the Ministry of Labour No. PF-516(3), dated, the 31st October, 1952, after item 8, the following item shall be inserted, namely—

8A. Shri R. S. Pande, I.A.S. Secretary to the Government of Bihar, Labour Department, Patna.

[No. PF-516(3).]

N. M. PATNAIK, Dy. Secy.